

PROCEEDINGS
OF THE
LEGISLATIVE COUNCIL
OF THE
UNITED PROVINCES
OFFICIAL REPORT

Volume LXXI

16th to 21st and 24th to 28th March, 1936



ALLAHABAD
Superintendent, Printing and Stationery, United Provinces
1936

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LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Monday, 16th March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (86)

The Hon'ble Mr. J. M. Clay.	Kunwar Jagbhan Singh.
The Hon'ble Kunwar Sir Maharaj Singh.	Thakur Koshava Chandra Singh.
The Hon'ble Nawab Sir Muhammad Yusuf.	Mr. Brijnandan Lal.
The Hon'ble Sir Jwala P. Srivastava.	Rao Narsingh Rao.
Mr. H. Bomford.	Rai Sahib Ram Adhin.
Mr. J. L. Sathe.	Mr. Bhondu Ram.
Mr. A. B. Reid.	Rai Govind Chandra.
Mr. P. M. Kharegat.	Rai Bahadur Babu Jagadeva Roy.
Mr. A. A. Waugh.	Mr. Dahari.
Rai Bahadur Mr. Phul Chand Mogha.	Rai Sahib Rai Rajeshwari Prasad.
Mr. R. T. Shivdasani.	Thakur Giriraj Singh.
Major H. M. Salamat Ullah.	Pandit Prem Ballabh Bolwal.
Mr. A. C. Turner.	Thakur Jang Bahadur Singh Bisht.
Mr. D. W. Crighton.	Pandit Brahma Dutt Bajpai.
Khan Bahadur Munshi Mushtaq Ali Khan.	Rai Bahadur Thakur Hanuman Singh.
Mr. R. A. Horton.	Rai Bahadur Lal Sheo Pratap Singh.
Rai Bahadur Ram Babu Saksena.	Thakur Munoshwar Baksh Singh.
Dr. K. L. Chaudhri.	Raja Birendra Bikram Singh.
Mr. E. D. Shebbare.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. H. J. Frampton.	Mr. C. Y. Chintamani.
Khan Bahadur Maulvi Fasih-ul-din.	Rai Rajeshwar Bali.
Mr. E. Ahmad Shah.	Syed Ali Zaheer.
Rai Sahib Babu Rama Charana.	Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ul-din Ahmad.
Mr. Perma.	Nawabzada Muhammad Liaquat Ali Khan.
Chaudhri Ram Dayal.	Mr. Muhammad Rahmat Khan.
Chaudhri Jagannath.	Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan.
Chaudhri Baldeva.	Khan Bahadur Muhammad Hadiyar Khan.
Rai Bahadur Sahu Jwala Saran Kothiwala.	Khan Bahadur Saiyid Jafer Hosain.
Mr. Tappu Ram.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Raja Bahadur Kushal Pal Singh.	Khan Bahadur Sirdar Muhammad Shakir-dad Khan.
Chaudhri Ram Chandra.	Khan Sahib Muhammad Imtiaz Ahmad.
Chaudhri Ghasita.	Shaikh Muhammad Habibullah.
Chaudhri Arjuna Singh.	Raja Saiyid Muhammad Mehdi.
Rao Sahib Thakur Shiva Dhyan Singh.	Mr. L. M. Medley.
Rai Bahadur Kunwar Girwar Singh.	Rai Bahadur Lala Anand Sarup.
Pandit Joti Prasad Upadhyaya.	Rai Bahadur Lala Bihari Lal.
Chaudhri Dharya Singh.	Chaudhri Muhammad Ali.
Rao Krishna Pal Singh.	Rai Bahadur Lala Prag Narayan.
Rai Bahadur Kunwar Dhakan Lal.	Raja Bisheshwar Dayal Sethi.
Thakur Balwant Singh Gahlot.	Raja Jagannath Baksh Singh.
Rai Bahadur Mr. Brij Lal Badhwar.	Munshi Gajadhar Prasad.
Rao Bahadur Kunwar Sardar Singh.	
Rai Bahadur Babu Manmohan Sahai.	
Babu Ram Bahadur Saksena.	
Rai Sahib Babu Kamta Nath Saksena.	

MEMBERS SWORN :

Dr. K. L. Chaudhri | Mr. R. T. Shivdasani
Mr. D. W. Crighton

QUESTIONS AND ANSWERS

STARRED QUESTIONS

NOMINATIONS TO LOCAL BOARDS

*1. **Babu Ram Bahadur Saksena :** (a) What is the total number of members nominated by the Government to the different Municipal Boards in the Province :

(i) As representatives of women.

(ii) As representatives of special interests ?

(b) How many of them are Hindus, how many Moslems and how many Christians ?

(c) How many of them were nominated on recommendations of the District Magistrates and how many otherwise ?

(d) In how many cases, if any, were the recommendations of the District Magistrates actually overruled, and for what reasons ?

(e) On whose recommendations were the nominations that were not supported by the District Magistrates made and what was actually the procedure adopted by the Government in selecting candidates for such nominations ?

(f) Will the Government be pleased to supply the following information with respect to each lady member nominated by it :

(i) Her profession.

(ii) Her educational qualifications.

(iii) Whether married, unmarried or widow.

(iv) The name of her husband, if she be married or a widow.

(v) Whether she observes *pardah* or not.

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf) : (a) and (b)

	Hindus	Muslims	Christians	Total
As representatives of women	25	27	23	75
As representatives of special interests ..	14	41	14	69
Total ..	39	68	37	144

(c) & (d) Eighty-six nominations were made in accordance with the recommendations of the District Magistrates and Commissioners, and 58 otherwise. Recommendations which local officers make are intended for the consideration of Government and it rests with Government to decide whether or not to accept them.

(e) On the basis of representations to Government including recommendations made by some of the members of this House.

(f) A statement giving the necessary information is laid on the honourable member's table.

(See Appendix A, page 66)

Babu Ram Bahadur Saksena : May I know if the District Magistrates and Commissioners submit their nominations of their own accord or does the Government require them to do so ?

The Hon'ble the Minister for Local Self-Government : They are supposed to send up recommendations.

Babu Ram Bahadur Saksena : Supposed to send up ? Are they not required by the Government to send up nominations ?

The Hon'ble the Minister for Local Self-Government : There is no question of "required" to do so. The practice has always been that they send up recommendations.

Babu Ram Bahadur Saksena : If the recommendations made by the District Magistrates and Commissioners are not to carry any weight with the Government, what is the use of asking the Commissioners and district officers to make recommendations ? Is it not a waste of their time ?

The Hon'ble the President : That is a matter of argument.

Babu Ram Bahadur Saksena : With regard to the concluding portions of the answer to parts (c) and (d) have the Government any reasons to give as to why the recommendations made by the District Magistrates and Commissioners were overruled ?

The Hon'ble the Minister for Local Self-Government : Because other people were regarded to be better nominees.

Babu Ram Bahadur Saksena : What exactly is the meaning of the Government when the Hon'ble the Minister says that they were better nominees ?

The Hon'ble the Minister for Local Self-Government : Because they were regarded as more suitable having regard to the interests of the boards.

Babu Ram Bahadur Saksena : What interests of the boards does the Hon'ble Minister mean ?

The Hon'ble the Minister for Local Self-Government : Smooth and efficient working of the boards.

Babu Ram Bahadur Saksena : With regard to part (e) will the Hon'ble the Minister be pleased to state what sort of representations referred to in the answer were made to Government ? Who were the persons who made those recommendations ?

The Hon'ble the Minister for Local Self-Government : They were made by the public and various bodies and also by honourable members of this House and other important people interested in the matter.

Babu Ram Bahadur Saksena : Did the Hon'ble the Minister take care to enquire that the persons or honourable members of this House

who made representations to the Government were not interested in their nominations ?

The Hon'ble the Minister for Local Self-Government : I did not quite catch the honourable member's question.

Babu Ram Bahadur Saksena : Did the Hon'ble the Minister take care to enquire that those people who made representations to the Government and those honourable members of this House who made similar representations to Government were not interested in their nominees ?

The Hon'ble the Minister for Local Self-Government : I had no reason to think like that ; no such question arises out of that.

Babu Ram Bahadur Saksena : There is no question of thinking. I want to know definitely whether the Government did or did not make enquiries in the matter.

The Hon'ble the Minister for Local Self-Government : Enquiries were made in a very large number of cases where necessary.

Babu Ram Bahadur Saksena : Inquiries as to whether the persons making recommendations to Government were not interested in their nominees ?

The Hon'ble the Minister for Local Self-Government : They were interested in many cases I am sure.

Babu Ram Bahadur Saksena : Is it not a fact that the persons who made recommendations to Government were interested in it because of the election of the Chairmen ?

The Hon'ble the Minister for Local Self-Government : They might have been. The question of the efficient administration of the boards and the election of the right type of Chairmen are matters of vital importance to all concerned.

Babu Ram Bahadur Saksena : Are we to understand that the Government will accept the nominations of interested persons and thus throw in their weight on one side by adding one more member to that party so that it might have its own Chairman ?

The Hon'ble the Minister for Local Self-Government : It is not necessary that Government should accept the recommendations made to them. They do so only when they find that it will be in the best interests of the administration and general efficiency of the board.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware that many District Magistrates do not give a sufficient chance to the fit candidates to represent their cases before they submit their nominations ?

The Hon'ble the Minister for Local Self-Government : I am not aware.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware of the fact that some of the District Magistrates are interested in the elections of their own friends and so they make nominations on that basis ?

The Hon'ble the Minister for Local Self-Government : Generally they must be interested, but I cannot say that they have any particular interest in or special predilection for anybody.

Khan Bahadur Maulvi Fasih-ud-din : Does the Government follow the policy of not changing the majority into a minority in making these nominations ?

The Hon'ble the Minister for Local Self-Government : We very carefully bear in mind that the strength of the respective communities is not effectively disturbed in any way.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware of the fact that some of the District Magistrates have made recommendations in such a way as to turn the majority into a minority ?

The Hon'ble the Minister for Local Self-Government : No.

Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to look into this more carefully by examining the nominations made by the District Magistrates ?

The Hon'ble the President : When the honourable member says "more carefully", surely he does not mean that the Hon'ble the Minister has not been looking into the matter carefully ?

Khan Bahadur Maulvi Fasih-ud-din : Will the Government look into the matter if facts and figures are supplied to them showing that the recommendations of the local authorities have in certain cases tended to change the majority into a minority ?

The Hon'ble the President : I am afraid that this is a hypothetical question.

Mr. Brijnandan Lal : Does the Hon'ble the Minister realize that the honourable member for Budaun is defending the Government although he is sitting on this side of the House ?

Khan Bahadur Maulvi Fasih-ud-din : Does the Hon'ble the Minister realize that the opposition party is defending the Magistrates and Collectors although they are sitting in this House in opposition to the Government ?

Mr. Brijnandan Lal : Sir, I want to draw the attention of the Government to part (d) of question no. 1 which reads as follows :

"In how many cases, if any, were the recommendations of the District Magistrates actually overruled, and for what reasons ?"

Why is it that the printed answer does not contain any reply to this part of the question ?

The Hon'ble the Minister for Local Self-Government : The reason is very clearly laid down in the answer to parts (c) and (d) of the question. It is hardly necessary to repeat it over and over again.

Mr. Brijnandan Lal : Which part ?

The Hon'ble the Minister for Local Self-Government : In the part relating to the recommendations which the local officers make for the consideration of Government.

Thakur Balwant Singh Gahlot : Does the Government consider the strength of the different communities in making nominations ?

The Hon'ble the Minister for Local Self-Government : The nominations are not made on a communal basis at all so far as special interests are concerned, and so far as the nominations of women are concerned. They are made on the consideration of their being suitable in the best interests of the board without upsetting the communal balance of the parties in the board.

Pandit Joti Prasad Upadhyaya : How far is this a fact that certain women carrying on immoral trade were nominated to the municipal boards of these provinces ?

The Hon'ble the President : If the honourable member is sure about this, then I would like him to put a definite question and not to make a vague allegation like that.

Thakur Muneshwar Bakhsh Singh : Has the majority been converted into a minority by these nominations in some municipalities ?

The Hon'ble the Minister for Local Self-Government : So far as I recollect in none.

Thakur Muneshwar Bakhsh Singh : What about the Shahabad Municipality ?

The Hon'ble the Minister for Local Self-Government : There, it has not been converted into a minority at all. Just at present I cannot find a suitable Hindu lady. As soon as I find one I shall nominate her.

Thakur Muneshwar Bakhsh Singh : Was any Hindu lady recommended by the District Magistrate ?

The Hon'ble the Minister for Local Self-Government : Yes, but she was not regarded as suitable.

Thakur Muneshwar Bakhsh Singh : On what grounds ?

The Hon'ble the Minister for Local Self-Government : I cannot very definitely recollect ; but I think on the score of health and various other reasons. If the honourable member will give notice of the question, I shall be glad to give him an answer.

Babu Ram Bahadur Saksena : Part (d) of my question reads " In how many cases, if any, were the recommendations of the District Magistrates actually overruled, and for what reasons ? " The Hon'ble Minister has just now said that the reasons are contained in the answer to parts (c) and (d) of the question, which reads " Eighty-six nominations were made in accordance with the recommendations of the District Magistrates and Commissioners, and 58 otherwise. Recommendations which local officers make are intended for the consideration of Government and it rests with Government to decide whether or not to accept them." My submission is that the answer to part (d) of my question is not there. The reasons are not given as to why the recommendations of the District Magistrates were overruled. Will the Hon'ble the Minister please give the reasons now ?

The Hon'ble the Minister for Local Self-Government : I have already given this answer in reply to a supplementary question. The reason is that other people were regarded as more suitable in the interests of the board.

Babu Ram Bahadur Saksena : Is it a fact that in many municipalities *pardah* ladies were nominated as lady members ?

The Hon'ble the Minister for Local Self-Government : I should like to make this point clear. It has been felt and pressed on me by the honourable members that a lady who attends a meeting in *burga* is not strictly in *pardah* for the purposes of the administration of the board.

Babu Ram Bahadur Saksena : Is it a fact that ladies who do not observe *pardah* were available, and yet in those places ladies who observed *pardah* were nominated ? Why is it so ?

The Hon'ble the Minister for Local Self-Government : Because they were regarded as more suitable than those who do not observe *pardah*.

Khan Bahadur Saiyid Jafer Hosain : Is there any rule debarring *pardah* ladies from being nominated ?

The Hon'ble the Minister for Local Self-Government : No.

Mr. Ram Bahadur Saksena : Is it not a fact that the Hon'ble the Minister assured this House that if ladies not observing *pardah* will be available, those observing *pardah* will not be nominated ?

The Hon'ble the Minister for Local Self-Government : I have done nothing of the kind. On the other hand, I have given assurance that a lady who observes *pardah*, but attends the meetings of the board is a suitable person to be nominated.

Mr. C. Y. Chintamani : Is it a fact that to a few boards public women were nominated ?

The Hon'ble the Minister for Local Self-Government : No, as far as I am aware.

Mr. C. Y. Chintamani : Is it a fact that two or three District Magistrates made protests against the nomination of such women ?

The Hon'ble the Minister for Local Self-Government : I cannot recollect. In fact if there had been any such case, I am positive that after further inquiries it was found that it was untrue.

Mr. C. Y. Chintamani : Is it a fact that in one board at least a person convicted of a serious offence and sentenced to a long term of imprisonment has been nominated ?

The Hon'ble the Minister for Local Self-Government : Probably there was one case which happened long ago, but so much time has elapsed that the disability has disappeared. The offence was not too serious an offence.

Mr. C. Y. Chintamani : Is it a fact that District Magistrate protested against that nomination ?

The Hon'ble the Minister for Local Self-Government : I cannot very well recollect. I have already said that this thing must have happened long ago and so much time has elapsed that those conditions have ceased to exist and now that person can be regarded suitable to be nominated.

Babu Ram Bahadur Saksena : Is it a fact that persons who had rendered themselves ineligible for election on account of default in payment of taxes and whose names were removed from the electoral roll were nominated by the Hon'ble the Minister ?

The Hon'ble the Minister for Local Self-Government : There is no prohibition to their nomination. The law is that anybody who is suitable can be nominated.

Babu Ram Bahadur Saksena : But there is some such thing as propriety.

The Hon'ble the Minister for Local Self-Government : There is no question of impropriety.

Khan Bahadur Maulvi Fasih-ud-din : Has any of the defeated candidates been nominated ?

The Hon'ble the Minister for Local Self-Government : No.

*2. **Babu Ram Bahadur Saksena :** (a) What is the total number of members nominated by the Government to the different district boards in the province :

(i) As representatives of women.

(ii) As representatives of special interests ?

(b) How many of them are Hindus, how many Moslems and how many Christians ?

(c) How many of them were nominated on recommendations of the District Magistrates and how many otherwise ?

(d) In how many cases, if any, were the recommendations of the District Magistrates actually overruled, and for what reasons ?

(e) On whose recommendations were the nominations that were not supported by the District Magistrates made and what was actually the procedure adopted by the Government in selecting candidates for such nominations ?

(f) Will the Government be pleased to supply the following information with respect to each lady member nominated by it :

(i) Her profession.

(ii) Her educational qualifications.

(iii) Whether married, unmarried or widow.

(iv) The name of her husband, if she be married or a widow.

(v) Whether she observes *pardah* or not.

The Hon'ble the Minister for Local Self-Government : (a) and (b)—

		Hindus	Muslims	Christians	Total
As representatives of women ..	22	9	16	47	
As representatives of special interests ..	26	16	6	48	
		<hr/>	<hr/>	<hr/>	<hr/>
Total ..	48	25	22	95	
		<hr/>	<hr/>	<hr/>	<hr/>

(c) and (d) Forty-four nominations were made in accordance with the recommendations of the District Magistrates and Commissioners, and 51 otherwise. Recommendations which local officers make are intended for the consideration of Government and it rests with Government to decide whether or not to accept them.

(e) On the basis of representations to Government including recommendations made by some of the members of this House.

(f) A statement giving the necessary information is laid on the honourable member's table.

(See Appendix B, page 97)

Mr. Brijnandan Lal : The Hon'ble the Minister said, in answer to my question the other day, that the majority of the recommendations of the District Magistrates and Commissioners were adopted, while in answer to Mr. Saksena's question he says that 44 nominations were made in accordance with the recommendations of the District Magistrates and Commissioners and 51 otherwise. May I know whether the answer given by the Hon'ble Minister the other day was wrong or right ?

The Hon'ble the Minister for Local Self-Government : It was perfectly right. The total figures were given and the majority of the recommendations of the local authorities have been accepted.

Mr. Brijnandan Lal : Fifty-one nominations were made otherwise ; forty-four on the recommendations made by the District Magistrates and Commissioners. It means that the majority of the nominations were made against the recommendations of the local authorities?

The Hon'ble the Minister for Local Self-Government : That is with regard to district boards only. Mr. Saksena's question refers to nominations of district boards only, while the reply given the other day referred to nominations made in the municipal boards and district boards both.

Mr. Brijnandan Lal : Is it correct to say that the majority of the recommendations of District Magistrates and Commissioners were not followed ?

The Hon'ble the President : That is a matter of inference.

Mr. Brijnandan Lal : Sir, I want to know why the nominated lady member of the Mainpuri District Board resigned, and when ?

The Hon'ble the Minister for Local Self-Government : She resigned because she felt that she should resign.

Mr. Brijnandan Lal : Did she resign after the notice of the question was given by Mr. Saksena asking for the qualifications of the nominated lady members ?

The Hon'ble the Minister for Local Self-Government : I cannot say ; she might have.

Mr. Brijnandan Lal : Will the Government inquire ?

The Hon'ble the Minister for Local Self-Government : Where is the point in inquiring about it now ?

Mr. Brijnandan Lal : What is the profession of this lady member who has resigned ?

The Hon'ble the President : Let bygones be bygones.

Babu Ram Bahadur Saksena : Sir, is it a fact that ever before in the history of the reformed Council as many as 51 recommendations from district magistrates have been overruled ?

The Hon'ble the Minister for Local Self-Government : I am not aware of that. There is no question of overruling, but of patronage, and in exercising it we must take into consideration the totality of circumstances.

Babu Ram Bahadur Saksena : Is it a fact that the necessity of discretion in matters of nomination has arisen this year only because the elections of chairmen of different district boards was to take place.

The Hon'ble the President : Necessity knows no law.

Mr. Brijnandan Lal : The Hon'ble Minister says that some of the nominations were made on recommendations made by the honourable members of this House. Which honourable members ?

The Hon'ble the President : That will be betraying confidence.

Mr. Brijnandan Lal : Is the Hon'ble the Minister aware that the recommendations of honourable members are disregarded in some cases ?

The Hon'ble the Minister for Local Self-Government : I am not bound to accept the recommendations of honourable members ; I am only bound to consider them sympathetically.

Mr. Brijnandan Lal : The Hon'ble the Minister says that they were disregarded in some cases.

The Hon'ble the Minister for Local Self-Government : Some of the recommendations were accepted.

Mr. Brijnandan Lal : The Hon'ble the Minister does not mention those cases.

The Hon'ble the Minister for Local Self-Government : The honourable member is arguing. I cannot answer hypothetical questions.

Babu Ram Bahadur Saksena : Will the Hon'ble the Minister give me the names of the honourable members who made recommendations ?

The Hon'ble the Minister for Local Self-Government : Sir, I want notice of that.

Khan Bahadur Maulvi Fasih-ud-din : Will the Government be prepared to make rules that the recommendations of District Magistrates be accepted *ipso facto* ?

The Hon'ble the Minister for Local Self-Government : No, Sir.

Mr. Brijnandan Lal : Will the honourable member consider the desirability of changing his seat and going over to the other side ?

No answer.

The Hon'ble the Minister for Local Self-Government : I think my honourable friend thinks that any stick is big enough to beat me with.

Mr. Brijnandan Lal : Is the Hon'ble the Minister aware that he has brought the Government into contempt by these nominations ?

The Hon'ble the President : We are not concerned with contempt here at all.

The Hon'ble the Minister for Local Self-Government : Nothing of the kind. It is just the other way about. My friend must be finding himself in an awkward and unfortunate position.

*3, 3-A and 4. **Rao Krishna Pal Singh :** (*Postponed till 19-3-'36.*)

INCREMENT TO PERSONS IN THE PROVINCIAL EDUCATIONAL SERVICE

O. no.	Date.
*68	21-11-35
*28	26-2-36
*69	21-11-35
*29	26-2-36
*73	21-11-35
*33	26-2-36

*5. **Thakur Keshava Chandra Singh :** Will the Government be pleased to state the number of persons in the Education Department who have been promoted from the Subordinate Service to the Provincial Service but who are not drawing the pay in accordance with the time scale provided for the Provincial Service ? Since how long have they been deprived of this time-scale increment and why ?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava) : Fourteen. From various dates, the earliest being 18th December, 1933. Because the matter has been under correspondence.

Thakur Keshava Chandra Singh : May I know if these 14 persons were drawing pay and increment provided for the subordinate service ?

The Hon'ble the Minister for Education : I cannot answer that question off-hand.

Thakur Keshava Chandra Singh : Is the Government aware that persons of the Subordinate Service who are officiating for Provincial service men are drawing the pay and increment provided for the Provincial Service ?

The Hon'ble the Minister for Education : Usually they do, excepting in these 14 cases.

Thakur Keshava Chandra Singh : I cannot understand the answer. Where is the hitch ? What is the correspondence about and with whom is it ?

The Hon'ble the Minister for Education : With the Accountant-General for one.

PRACTICAL EXAMINATION IN SCIENCE IN HIGH SCHOOLS

***6. Thakur Keshava Chandra Singh :** Is the Government aware that for the last several years, practical examination in science for the High School examination has not been held though it has been provided in the prospectus issued for those years ?

The Hon'ble the Minister for Education : Yes. Notifications and a *communiqué* cancelling the practical examination have duly issued.

WING OF THE WOMEN'S HOSTEL OF THE ALLAHABAD UNIVERSITY

***7. Babu Ram Bahadur Saksena :** Will the Government be pleased to state whether the grant sanctioned for the construction of a wing of the Women's Hostel for the Allahabad University in 1934-35 and repeated in 1935-36 has been paid, and if not, when will it be paid to the University ?

The Hon'ble the Minister for Education : No. When the object for which the grant will be used is clear.

***8. Babu Ram Bahadur Saksena :** (a) What is the amount of the approved expenditure sanctioned for the construction of a wing of the Women's Hostel for the Allahabad University ?

(b) Whether it exceeds the grant of Rs.35,000 sanctioned for the purpose ?

(c) How do the Government propose to provide for the balance to enable the University to meet the expenditure in the present depleted state of the University finances ?

The Hon'ble the Minister for Education : (a) The University's estimate as checked by the Public Works Department is Rs.38,737.

(b) Yes.

(c) The University may raise more donations or reduce the proposed cost of the building.

***9. Babu Ram Bahadur Saksena :** Did the Allahabad University ask the Government from time to time for the payment of the said grant to enable it to purchase no. 10, Church Road, or other property adjoining the University area for locating the Women's College as an adjunct to the Women's Hostel ? If so, why has the payment been so long withheld ?

The Hon'ble the Minister for Education : Yes. Because the grant is meant primarily for the construction of women's hostel.

GRANT OF LAND ATTACHED TO THE KUNDU GARDENS, ALLAHABAD, TO THE PROPRIETORS OF THE "PIONEER"

***10. Babu Ram Bahadur Saksena :** Will the Government be pleased to state whether the land attached to the *Kundu Gardens* opposite the Allahabad University was granted to the proprietors of the *Pioneer* for gardening purposes for a limited period and on what conditions ?

The Hon'ble the Finance Member (Mr. J. M. Clay) : The land known as Kundu's Garden at Allahabad was leased in 1893 to Umraoti Lal Kundu on the following conditions :

(1) payment of an annual rent of Rs.283 by the lessee, or his executors, administrators, and assigns ;

(2) the land was to be used as a garden, save for the erection of gardening and cattle huts, and was not to be built upon except with the previous sanction of Government. If such sanction was given, ground rent at Rs.30 per acre would be payable upon the whole area :

(3) The lease was to subsist for 50 years, but with a right of renewal for successive periods of 50 years each, upon the same terms and conditions in perpetuity. The lease also conferred full rights of transfer, and the Pioneer Newspaper Company obtained the rights of the lessee in this way.

*11. **Babu Ram Bahadur Saksena :** Will the Government be pleased to state whether it has agreed to alter the conditions of that lease so as to convert it into a freehold, or to allow the land of the said garden to be divided into housing plots and used for building purposes ? If so, on what terms and conditions ?

The Hon'ble the Finance Member : Government have not agreed to the conversion of leasehold into freehold. In accordance with legal advice they have, however, agreed to deal direct with any assignees of lessee's rights to whom the present lessee may assign his rights under the lease, and to grant to such assignees leases not wider in terms than the existing lease.

*12. **Babu Ram Bahadur Saksena :** (*Postponed.*)

UNIVERSITY TRAINING CORPS OF THE BENARES HINDU UNIVERSITY

*13. **Babu Ram Bahadur Saksena :** For how many years in succession has the University Training Corps of the "D" Company, attached to the Benares Hindu University, been winning the efficiency cup in the annual competitions with the University Training Corps of the other universities in the United Provinces ?

The Hon'ble the Finance Member : Government have no information.

*14. **Babu Ram Bahadur Saksena :** Has the Benares Hindu University been asking the Government or the Military authorities to allow the University to maintain a full company of the University Training Corps for many years past and if so when is that request likely to be granted ?

The Hon'ble the Finance Member : Government have received no such request from the University. They are not aware whether or not the University has addressed the military authorities.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS FOR GRANTS

Grant No. 1. 25—Jails and Convict Settlements

The Hon'ble the Home Member : Sir, I beg to announce to the House the recommendation of His Excellency the Governor that under the Head Jails, Rs.29,69,544 be granted and I move that this sum be voted. As this is the first occasion on which I have to present a budget demand, I trust that the House will extend to me that indulgence which they always show to a person undertaking a new task, and as there was no discussion on the jail budget in 1935, I hope that I shall be pardoned for making a few observations. In one respect we are unfortunate in these provinces. We have the highest jail population, the figure for 1934 being 31,925 as compared with the next highest figure of 21,851 in Bengal. In spite of this, however, our prisons are administered with great economy. The expenditure for instance, on guarding and maintaining prisoners per head of jail population in the United Provinces is about Rs.74 as compared with over Rs. 100 in other provinces. Nevertheless the health and discipline of our prisoners have been very satisfactory. It may interest the House to know that the mortality rate in the United Provinces jails is lower than that in any other province in India, while in 1931 there were only six escapes. At the same time I am clearly of opinion that had we the necessary funds and were our finances in a more satisfactory condition, we would have to spend more money on several important objects. Honourable members will remember that both the Indian Jails Committee of 1919 as well as the United Provinces Jails Inquiry Committee of 1929 recommended an increase in the staff of warders. In 1927 proposals for the appointment of 312 extra warders and 50 head warders at a recurring cost of about one lakh of rupees and non-recurring expenditure of approximately four lakhs for the construction of quarters was included in the schedule of new demands, but no provision could be made or has so far been made for want of money. The result is that we are at present employing a large number of temporary warders. I am sure that the House will agree with me that a temporary staff is not an efficient substitute for persons holding permanent posts. There are other important recommendations of the Jail Committees and in particular of our United Provinces Jails Inquiry Committee of 1929 which unfortunately have not been carried out on account of the financial stringency. Whenever the financial conditions of these provinces improve, I feel that one of the first departments to which money will have to be devoted by the Ministers under the new Constitution will be the Jail Department. The first time that I saw the inside of a jail—I had not been convicted but went there only as a very humble servant of Government—was in 1905 or more than 30 years ago. The last occasion was towards the end of 1935. During these 30 years and more especially since the present Legislature came into being many improvements and beneficial changes have been

made. Let me give the Council only a few instances. The food and clothing of prisoners have considerably improved. The combination of juar and wheat, which was found in many instances to be deleterious to the health of prisoners, has been discontinued. Different kinds of *dal* have been sanctioned with a view to ensure a variety of diet. There is a more liberal allowance of spices and vegetables and I understand from my friend the Inspector General that *chatni* has been introduced. Iron utensils have recently been replaced by brass utensils in the cook houses and as funds permit arrangements are gradually being made to replace the utensils of prisoners. Three blankets in place of two are supplied to prisoners in sub-montane jails and four to prisoners in the hills. Since last year an extra blanket has been allowed to old and infirm convicts in the plains during the winter.

Every prisoner is now supplied with a double set of clothes and a towel. I think too that the treatment of prisoners in India as in other countries has improved during the last 30 and even now during the last ten years. When I started service, every year 70 or 80 prisoners were flogged for jail offences. According to the figures for 1934 only fifteen prisoners were whipped, and whippings are almost entirely confined to serious offences, such as assaulting warders.

Mr. C. Y. Chintamani : Can't they be abolished ?

The Hon'ble the Home Member : The honourable the Leader of the Opposition asks whether they can be abolished. I understand that Superintendents of Jails who were consulted some years ago, while agreeing that the number of floggings should be reduced, were unwilling to give up altogether this form of punishment, for example, in cases of assaults on warders, or attack on prisoners or visitors.

I remember when I was young having the very unpleasant duty of witnessing executions. I am glad that for many years I have not seen an execution. I certainly do not wish to see another. In those days executions were partly in public. A large crowd used to collect hours beforehand and witness what I can assure honourable members was and always will be a most gruesome scene. Nowadays jail executions are held in private and, if my memory serves me right, only a few immediate relatives of the condemned men are allowed to attend. Wrist and ankle rings have been discontinued, while the use of belchans and fetters has been restricted. Jail holidays are now allowed for important festivals while libraries have been established in every jail. It may interest honourable members to know that convicts up to the age of 25 are given elementary education and in certain jails even vocational classes have been opened. I wish that honourable members would make it a point when next in Bareilly to see the Bareilly Juvenile Jail which is an object lesson of what within certain limitations can be done for youthful convicts, though I am ready to admit that what is really needed for juvenile offenders in these provinces is a Borstal institution run more on the lines of a school than a prison. We have now a district jail in Sultanpur for

[The Hon'ble the Home Member]

tubercular patients, while mentally defective prisoners are concentrated in the Agra District Jail. Special remissions are allowed more freely than in the old days, while revising boards have been appointed to examine the cases of long-term prisoners and recommend premature releases. Most female convicts are concentrated in selected jails. A beginning has been made in a few prisons to teach them handicrafts. In the old days there were no non-official visitors but now, as honourable members are aware, there are non-official gentlemen and in certain cases non-official ladies attached to every jail who are at liberty to see the prisoners for themselves and to whom the prisoners can, if necessary, state their grievances. Some of them take keen interest in their work and I can assure honourable members that their honorary services are greatly appreciated by Government. During the last five years an advance has taken place through the distribution of prisoners into three classes, the classification being based in general on the social status, education and the previous mode of living of a prisoner. The result is that prisoners in classes A and B receive better food and clothing and enjoy other amenities including the supply of weekly and bi-weekly publications.

Mr. C. Y. Chintamani : Regardless of the offence for which the prisoners were convicted ?

The Hon'ble the Home Member : Yes, Sir. If they are in classes A or B they enjoy these facilities regardless of the offence which they have committed.

The policy of separating habituals from casuals is carried out as far as possible. Nowhere is this more necessary than among youthful offenders and it is hoped that at any rate in the case of juveniles it will be possible before very long to have complete segregation. Mainly as a measure of economy a jail delivery was ordered in June, 1935, resulting in a saving of Rs.18,000.

In effecting improvements, to some of which I have referred above, Government are indebted both to the Jail Enquiry Committee and public opinion and perhaps even more to honourable members of this House who from time to time have made valuable recommendations for the improvement of jail administration. Let me assure the House of the consideration given to suggestions made by honourable members. When the Jail budget was discussed in 1934 the claims of I. M. S. officers were pressed in regard to the post of Inspector General of Prisons in these provinces. In the end as honourable members are aware, Major Salamatullah, I.M.S., was appointed the first Indian Inspector General of Prisons in these provinces. He is an experienced officer who has done hard and valuable work since he has been in his present responsible post. Another suggestion made was that the release of prisoners undergoing imprisonment in lieu of fine must not be delayed directly the necessary fines are paid. Government have since altered the rules to ensure that delay should not take place. The claims of Indians in the higher services have

been frequently urged by honourable members of this Council. Nowhere has this demand been more fully met than in the Jail Department where at present five out of six superintendents of central jails are Indians and the sixth is a statutory Indian.

In conclusion I would respectfully request honourable members in moving their cuts kindly to take into consideration the unsatisfactory condition of our provincial finances.

Thakur Giriraj Singh : I beg to move that under sub-head A—Superintendence—3. Allowances and honoraria (voted), a reduction of Re. 1 be made.

Under this cut I beg to submit a few suggestions. One is about the inspection of prisons by the Inspector General. If we see the Jail Report for 1934, we shall know that superintendents

The Hon'ble the Home Member : I understand that that is a voted demand.

The Hon'ble the President : What is the point ?

The Hon'ble the Home Member : I could not catch what the honourable member was saying, I apologise for the interruption.

Thakur Giriraj Singh : From the report it is clear that if surprise visits are made by the Inspector General of Prisons, they would produce more effect upon the working of the prisons than those inspections which are made after information. It is not unknown to all the honourable members that it is very difficult to know the real state of affairs of the jails. I admit that there are some jails where the jailors, the deputy jailors and the superintendents do look after the affairs of the prisoners properly and humanly ; but I am talking of the jails as a whole. Suppose any prisoner has got a grievance against any member of a jail staff, what is the remedy for him ? The only remedy is that if the Inspector General of Prisons visits that jail and it comes to his knowledge that something untoward or something objectionable has happened in that particular jail he ought to make an inquiry. But I cannot understand what will be the result of that inquiry, because it is very difficult for any prisoner to get evidence inside the jail. The real state of affairs we only know from those prisoners who come out of the jails. So my submission is that whenever there is any complaint, whether any evidence is available or not, the Inspector General should conclude that there is something wrong with the jail and after making allowance for the lack of evidence, he should take action.

Another suggestion is that in every district there is a committee known as the grain purchasing committee, comprising of the Superintendent of the jail, the District Magistrate and one non-official member (an M. L. C.). In the absence of an M. L. C. any non-official is given a chance to work in that committee. What I find is that the committee is held sometimes after the harvest . . .

The Hon'ble the President : What has the committee to do with the question of allowances and honoraria now under discussion ?

Thakur Giriraj Singh : My submission is that it is better in the interests of administration that the committee should be held before the harvest time.

The Hon'ble the President : That would come when the entire head is under discussion, not here.

Thakur Giriraj Singh : The third point is that non-official members make inspections, and so I will submit that more care should be taken over these inspections by the Inspector General of Prisons.

The Hon'ble the President : That again will come later I am afraid.

Thakur Giriraj Singh : Then I will discuss all these under district jails. These are the only points I wish to say at present.

The Hon'ble the Home Member : Sir, there is only one point to which I need reply, as the honourable member has said that he will discuss other questions in a later speech. According to the honourable member there is difficulty in prisoners getting sufficient opportunity to make complaints to superior officers and there is also some difficulty in their securing evidence. One opportunity which presents itself is when the Inspector General or the Home Member goes round on his tours and visits these jails. There is, however, always a superintendent on the spot. So far as the central jails are concerned, these superintendents are, with one exception, officers of the Indian Medical Service while in the case of district jails the superintendents are also responsible officers belonging either to the Indian Medical Service or to the Provincial Medical Service. There is another channel, and an important one, through which complaints can be made. I refer to the non-official visitors of jails. I think that I am right in saying that these visitors include members of this honourable House. I know that there are occasions on which complaints are made to these members which they in their turn bring to the notice of the local superintendent or the Inspector General of Prisons.

The motion was, by leave, withdrawn.

Rai Bahadur Babu Jagadeva Roy : Sir, I beg to move that under sub-head B—Central Jails—1. Pay of officers, a reduction of Rs.10 be made.

Sir, my object in moving this cut is simply to invite the attention of this honourable House to two important points. The first one is this. Looking at page 9 of the Budget I find that under the heading "Superintendence" there is one officer who comes under the head Voted, and 5 come under the head non-voted. Their salary is comparatively much larger. Therefore my point is : is there any statutory restriction for not taking officers who can come under the head Voted, and thus be in a position to reduce the expenditure under this head of Superintendence—Pay of officers? Therefore I say that if there be any statutory restriction, then in that case an attempt should be made to get rid of that restriction and have a chance of putting any of those officers whose pay is voted.

The second point is that I find that in the year 1935-36 the number of head jailors was 8 and now it is going to be 9. So if there be any special reason for increasing the number because I would like to emphasize that in the present financial stringency of the province it is much more necessary that the number should be maintained at 8, as was in the year 1935-36.

The Hon'ble the Home Member : As regards the first point raised by the honourable member there are at present six superintendents of central jails. Five of these superintendents are officers of the Indian Medical Service while the sixth is a member of the Indian Medical Department. We are compelled to have five officers of the Indian Medical Service in central jails under the orders of the Government of India. It is not therefore possible for us to avoid this expenditure. I should like to point out, however, to the honourable member that as compared with the staff of many years ago the number of provincial service officers in charge of district jails is now much larger so that the total expenditure on the pay of superintendents of jails, central and district, is much lower now than it was 20 or 30 years ago.

The second point made by the honourable member is one of detail which will be answered by the Inspector General of Prisons.

Major H. M. Salamat Ullah : The honourable member has pointed out an increase among head jailors in the central jails. Head jailors in this budget indicate the gazetted officers among jailors. As soon a jailor becomes a gazetted officer he is shown among the head jailors. At present all the jailors are on the time-scale of pay and as soon as they begin to draw a salary of Rs.325 they become head jailors. Now an Indian in the next financial year will become a gazetted officer. Therefore we have shown nine officers instead of eight among the head jailors but if this honourable member will look to the details of the jailors, deputy and assistant jailors, he will find a corresponding decrease there. The number has been reduced from 28 to 27.

Rai Bahadur Babu Jagadeva Roy : As to the first point I said in the beginning of my speech on the subject that an attempt should be made to prevail upon the Government of India to have no restriction on that point and I hope the Hon'ble the Home Member will try to do this. With your permission, Sir, I would like to withdraw this motion.

The motion was, by leave, withdrawn.

The Hon'ble the President : The notice for the next motion was not given within time. Is there any objection to its being moved ?

(There was no objection.)

The Hon'ble the President : It may be moved.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under sub-head B—Central jails—4—Supplies and services—Dietary charges, a reduction of Re.1 be made.

[Khan Bahadur Maulvi Fasih-ud-din]

The public of this province owes sincere thanks to the Committee of Sir Louis Stuart and our late distinguished colleague, Khan Bahadur Hafiz Hidayat Husain, which recommended some very great improvements in the matter of dieting the prisoners and which succeeded in having the prisoners of central jails as well as district jails classified into three grades as regards their diets and their clothings, namely A, B and C. Now, Sir, we find that while the dieting of the prisoners classed under A and B has considerably improved, the dieting of prisoners under class C has not undergone much improvement. The Hon'ble the Home Member has stated in his opening speech this morning that there has been an improvement in dieting, and he pointed out one or two improvements. But, Sir, with due apology to him, I beg to submit that my information is quite the contrary. My information about the dieting of C class prisoners is that the *chapatis* which are served to the prisoners of C class are sometimes stinking and that vegetables of the poorest kind are served to them. Only the other day I noticed a long article in the papers entitled *Riyasat* written by its editor who has just come out of the jail. He has given a glowing description of the inferiority of dieting to the C class prisoners. He has said that while A and B class prisoners get their dieting almost equivalent to the dieting which is provided in the guest house of Bhopal, the prisoners of C class get horribly bad dieting. I do not mean to say that the dieting arrangement has deteriorated. On the other hand, I admit that there has been some improvement in it. But what I want to bring to the notice of the Hon'ble the Home Member is that there is a good deal of room for the improvement of diet of C class prisoners. I am one of those who think that the jail after all is a place of punishment and is not to be turned into a paradise and a home of comfort for the prisoners. But at the same time I would certainly press this claim of the public that C class prisoners should be treated as human beings in the matter of dieting.

The Hon'ble the Home Member : Sir, I fully admit the moderate tone of the speech of my honourable friend, Khan Bahadur Maulvi Fasih-ud-din. He says that, whereas considerable improvements, which I gather from his speech were almost unnecessary, have been made in the case of A and B class prisoners, there has been very little improvement in respect of prisoners belonging to class C. He also specifically referred to the unsavoury nature of *chapatis* in certain jails. I mentioned in my opening speech that we had in past years and more specially in recent years done something to improve the diet of these prisoners, and I cited examples of such changes. For instance, I said that the combination of *juar* with *dal* had been abolished as having led in certain instances to dietary complaints. I also pointed out that variety had been introduced by allowing different kinds of *dal*. I added that there was now 2 more liberal allowance of spices and vegetables in the case of C class prisoners, while I mentioned that even *chaini* had been introduced. At the same time I am ready to admit that there must be instances in the feeding of 30,000 prisoners of *chapatis* being not well cooked and that there are

defects from time to time in the quality of the diet supplied. I would respectfully request the honourable member, if he knows of any jail in which *chapatis* are badly cooked, to bring this matter to the attention of the Inspector General of Prisons who, I feel confident, will give to the complaint the fullest consideration possible.

Rai Govind Chandra : Sir, may I know whether the Hon'ble the Home Member has tasted the *chapatis* of any jail?

The Hon'ble the President : The Hon'ble the Home Member has never been an inmate of a jail.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head B¹—Central Jails—4. Supplies and services—Hospital charges, a reduction of Re.1 be made.

To begin with, I think the Government deserves our most sincere thanks for having thought of appointing an Indian officer in charge of the Jail Department of these provinces for the first time, and I hope that this experiment will be repeated again.

Now I come to the main point at issue. I find that in the central jails as well as in the district jails the sick prisoners are looked after primarily by the sub-assistant surgeons. These prisoners are kept within the precincts of the jail and they have no option of consulting the best medical advice. For that reason my suggestion is that in future the Government should think of appointing assistant surgeons instead of sub-assistant surgeons in charge of the jail hospitals. The number of unemployed assistant surgeons is increasing day by day and there are many who are seeking employment. So when Government is in a position to get hold of a better class of medical officers there is absolutely no reason why in a place like jail in which no outside medical help is available the Government should content itself with the appointment of sub-assistant surgeons. I do admit that the Superintendent of Jail also looks after the jail hospitals, but he goes there only for an hour or half an hour in the day and he cannot be expected to be responsible for the medical treatment of all the inmates of these jail hospitals.

Major H. M. Salamat Ullah : Sir, the honourable member has kindly referred to the hospitals of the jails. The advice that he has given is, I think, on the whole quite sound. But I would request him to refer to the medical conditions prevailing in the jails at present. Fifty years ago these jails used to be hot beds of disease. If you will look up medical journals, you will find that if there was any disease, it first started from the jails. Now the tables have turned. If there are any epidemics, the jails are the places which now escape. I have got figures for the last 30 years in my hand; and I can say that the sick rate and mortality in our jails are the best in the whole of India. Last year there was a mortality of 240 prisoners out of 31,659 prisoners. This is the lowest figure attained in the history of these jails, except

[Major H. M. Salamat Ullah]

for one year. If you will compare the death-rate, you will find that it is 7·5 per thousand in these provinces as against approximate figure of 25—30 per thousand mortality rate amongst the public. As regards the general health of the prisoners, we have got the figures of 1934 available now, because the 1935 figures are not available for other provinces. We find that out of 100 convicts released 32·8 remained stationary, 56·7 gained in weight, while 10·5 lost in weight. These figures will speak for themselves. As regards the appointment of assistant surgeons and sub-assistant surgeons, Government is considering that question. We are likely to have a cadre of our own, and will recruit our own medical men; and in doing so we will give preference to M. B., B. S. candidates.

Khan Bahadur Maulvi Fasih-ud-din : By moving this out I never meant to cast any reflection on the medical conditions of the jails. In fact I do admit that the condition of many of the jails in these provinces, so far as my personal observation is concerned, has undergone considerable improvement. But what I submitted was simply this that a better class of medical officers should be recruited for jail purposes; and I am very glad to hear that now the Government is considering the whole question and will give preference to the better class of officers. I, therefore, withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under sub-head B—Central Jails—4. Supplies and services—Clothing and bedding charges, a reduction of Rs.1 be made.

Sir, I want to bring out one or two points in connexion with this token out of mine. The first point is that although the clothing of the jail has improved, yet it requires much further improvement, especially in the case of the prisoners who belong to the middle and upper classes.

The second point that I want to bring out is that which our late lamented friend, Hafiz Hidayat Husain, brought out on several occasions, namely the necessity of supplying the Muslim prisoners with a different kind of clothing, for according to our religion no man can offer his prayers with a jacket on and when his knees remain open. That is a point which ought to be seriously considered by the Government. I find that this very legitimate grievance of ours has not yet been looked into by the Government.

The third point that I want to bring out is that we find that there is a reduction in the Budget under clothing and bedding from Rs.48,000 in the preceding year to Rs.45,000 in the current year. I do not know why this particular sub-head of clothing and bedding of the prisoners, which is so essential for the health and the welfare of the prisoners, ought to undergo a curtailment.

Major H. M. Salamat Ullah : There is only one point which the honourable member has raised and that is with regard to Muhammadans. He says that Muhammadans are unable to offer their prayers because they get only a *jangia* and they cannot pray with *jangia* on.

Probably the honourable member is not aware that for the last two or two and a half years we are supplying one *chadar* to every Muhammadan, when necessary, so that he can pray. Hindus do not get this *chadar*.

The Hon'ble the Home Member : My honourable friend, Khan Bahadur Maulvi Fasih-ud-din, said that upper and middle class prisoners were not getting sufficient clothing. I may tell him that prisoners of a certain social status and accustomed to a superior mode of life are at present receiving special facilities in regard to clothing. If he wishes for detailed information on this point, I would refer him to the rules made by Government in 1930 under section 60 of the Prisons Act of 1894 which give in detail the clothing both in winter and in summer to which A and B class prisoners are entitled. I am sure that when he has read these rule, he will be satisfied about the relatively adequate supply of clothing which is given to these two classes of prisoners.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I am aware of the rules, but my experience is that these rules are observed more in their breach than in their observance. I believe that the Hon'ble the Home Member will make close inquiries into this matter to find out as to what jails follow those rules and what do not. I beg to withdraw.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move a token cut of Re.1 under sub-head B—Central Jails—4. Supplies and services—Clothing and bedding charges.

I find that the Hon'ble the Home Member said in his speech this morning that arrangements are made in the jails for primary education and that the juvenile offenders are specially looked after in the matter of education. But under this head of Central jails. . .

The Hon'ble the President : We are not dealing with juvenile jails. It is a separate subject.

Khan Bahadur Maulvi Fasih-ud-din : I have just made a reference to juveniles. Here I am dealing with this particular head of central jails. I find that the expenditure under this head has been reduced from Rs.1,000 to Rs.500 and I want to know the reason for this reduction. In the first place, the amount of Rs.1,000 was very insufficient for imparting primary education to the inmates of the central jails, and now we find that this has been reduced to Rs.500 which is, I think, very low.

Major H. M. Salamat Ullah : Sir, as regards the request of the honourable member, the proper head under which we will discuss this question is under Juvenile jails, but as regards the educational grant to the central jail, there has been a reduction of Rs.500. The reason is that when we made inquiries from all the jails as regards the condition of the libraries which existed there, we were told that there were a sufficient number of books in most of the jails, and, therefore, the grant was reduced to Rs.500.

The motion was, by leave, withdrawn.

Rao Krishna Pal Singh : Sir, I beg to move that under sub-head B---Central jails ---4. Supplies and services, a reduction of Re.1 be made.

With your permission, Sir, I would like to make a few suggestions which are common to central as well as district jails, if you will permit me to do so under this very head.

The Hon'ble the President : Would it not be better if the honourable member brought it up later, unless it is directly connected?

Rao Krishna Pal Singh : Sir, it is a very minor point. There are two or three points which I would have brought out if I had not learnt from the Hon'ble the Home Member and the Inspector General of Prisons that a minor variation in the budget head was due to a mistake on the part of an official of the Finance Department. I only wish to make a very minor suggestion and it is with regard to the giving of special diet to prisoners on some selected festivals during the year. I learnt, Sir, that this practice is followed in certain other provinces and I have also learnt from the figures which I have in my possession that the expenditure in these provinces per head of prisoner is the lowest. We spend Rs.27-13 per prisoner, whereas Bengal spends Rs.39-12; the Punjab, Rs.22-10 and Bombay a little higher than we do. Therefore, it would be very proper, and I do not think it would cost very much, if the Government would allow the prisoners this little concession. It would mean a good deal of break in the monotony of jail life, and it would also be a sort of charity on the part of Government. In case, Sir, the Government think that their finances do not permit them to indulge in this kind of charity, then I would suggest that they should allow the superintendents of jails to accept charity from private individuals who may like to bear the cost of the suggested diet. This thing is actually happening in other provinces, and I do not see why Government should have any objection to this suggestion. It is a very minor matter, but it would really break a good deal of the monotonous life of the average prisoner inside a jail.

The Hon'ble the Home Member : Sir, the question of giving a special diet to prisoners on special occasions was discussed at an All-India Conference of Inspectors General of Prisons as recently as 1934. That Conference recorded its unanimous opinion against this concession. One difficulty that I foresee is that I am not sure to which festivals the honourable member refers. Is it his wish that on every Hindu and Muslim festival this concession should be made, or should it be limited to one or two days in the year? He is under a misapprehension in thinking that many other provinces allow the concession which he has proposed. My information is that in the great majority of provinces in India no such concession is allowed. At the present moment when we have no money for so many necessities in respect of prisons and prisoners I deprecate any expenditure, however small it be, for the supply of what can only be termed as a luxury. I think that we must wait for better times before the honourable mover's proposal can be considered,

Rai Bahadur Babu Jagadeva Roy : Sir, I had no desire to speak on this cut motion, but having heard the reply of the Hon'ble the Home Member with reference to the motion of my learned friend, Rao Krishna Pal Singh, I will say a few words. There is one part of his speech which has not been answered by the Hon'ble the Home Member. A suggestion was made that in case the Government did not come forward with funds to provide special diet to prisoners on festivals would there be any objection by the Government if some private gentlemen were willing to meet the cost of supplying a special diet. I do not think there can be any objection to this, because I remember on the last occasion when the Silver Jubilee was observed Government did not make a provision for the observance of that particular occasion by distributing sweetmeats to prisoners. In Ghazipur, public gentlemen voluntarily subscribed for this. Therefore, I think that if private persons do come forward to meet the cost of such special diet on festivals, the Government should not have any objection to it. With these words, Sir, I support the motion of my honourable friend Rao Krishna Pal Singh.

Khan Bahadur Syed Jafer Hosain : Sir, owing to the speech of the Hon'ble the Home Member I thought that I would also like to make one or two observations on the motion. I do think that some consideration should be shown to prisoners on occasions of main festivals of Hindus, Muhammadans and Christians. After all, Sir, they are human beings and moreover a little variation in their diet will not be very costly or appreciably increase the cost of dietary charges, but on the contrary it will undoubtedly effect a welcome change in the atmosphere of jails and bring cheerfulness to the hearts of those who are unfortunately imprisoned there. I do not think this is a request which can be termed as extravagant, and it will not as I have said before involve Government in any heavy additional cost. We already provide rice, wheat, milk, meat and vegetables to the prisoners and just a slight variation of these few things would enliven their lives.

*** Pandit Joti Prasad Upadhyaya :** Sir, I rise to support the motion that has been moved by my friend Rao Krishna Pal Singh. In spite of the plea of the Hon'ble the Home Member that funds during these days of financial stringency are not available for such purposes, I think Government will be acting humanly, if they do something towards accepting this proposal. As I understand from the figures which are quoted by the Inspector General of Prisons, the total population of the jails in these provinces is about 30,000, and if three or four important festivals of Hindus and Muslims are selected, the cost of providing special food on these three or four festivals would come to about Rs.4,000 for one festival at the rate of four annas per head. Now, Sir, this is not a very large sum, especially if we look into the budget we find that thousands are being distributed over the salaries of the officers who enjoy all the amenities of life. I hope that the officers who are drawing such high salaries will sympathize with these unfortunate people, who are confined in the jails and will move the Government and request the Hon'ble the Home Member to provide

* The honourable member has not revised his speech.

[Pandit Joti Prasad Upadhyaya]

funds from somewhere to meet this proposal. If such a thing is not possible, the next alternative, as suggested by the mover of the cut, is to allow this concession at the cost of public benefactors, who are willing to contribute towards this fund. I think there can be no objection to such a proposal. I hope the Government will certainly accept it.

Rao Krishna Pal Singh : Sir, I am grateful to those honourable members of this House who have supported this cut. I thought, as I said at the very beginning, that it was a very ordinary matter. The honourable member for Agra has said that according to his calculation the cost will not be very much. I think that his calculation is rather liberal. According to my calculation it will not cost more than a few thousand extra. I think it will not cost more than a few annas on every festival per prisoner. If you allow this concession on 4 or 5 days per year, I think the total cost will be very little. As I have suggested, the other alternative for the Government is to allow private individuals to pay for such diet in places where individuals may come forward with an offer of this kind of charity. I must say, Sir, that I am surprised at the tone of the reply given by the Hon'ble the Home Member for whom I have great regard, and whom I consider as a man of great culture and a very good Christian. But it seems, Sir, that the steel frame of the official has not only hardened his outside, but has also affected his inside. I hope, Sir, that he will have a soft corner in his heart for these unfortunate individuals who live in such unfortunate surroundings.

The Hon'ble the Home Member : Sir, I cannot resist the appeals which have been made by several honourable members and I shall consider, and consider sympathetically, the recommendation that Government should at least on one special occasion in the year allow some special diet to prisoners. I greatly prefer, if a concession has to be made, that Government should make it rather than that we should indent upon philanthropic bodies or individuals. I think that there is an objection in principle to asking persons outside jails to supply the demands or needs of prisoners inside jails. For instance, it may be that a kind-hearted non-official, himself a great smoker, might suggest that once or twice a year he should be allowed to send cigarettes for the enjoyment of his less fortunate compatriots in jails. There are indeed obvious objections to accepting generosity from outside. I repeat, Sir, that I shall consider the suggestion made by my honourable friend, Rao Krishna Pal Singh, although I think that in view of the need for economy the concession, if granted, will have to be confined to one principal holiday for Muslims and one principal holiday for Hindus. My friend, Pandit Joti Prasad Upadhyaya, wishes the concession to be given for two festivals for Hindus, but I hope that my honourable friend will not tie my hands in the matter.

We all have sympathy for prisoners confined in the jails, but at the same time there is the important consideration that our provincial finances are in an unsatisfactory condition.

The motion was, by leave, withdrawn.

* **Pandit Joti Prasad Upadhyaya** : Sir, I beg to move that under sub-head B—Central Jails—4. Supplies and Services, a reduction of Re.1 be made.

Sir, I have made this motion with the object of bringing to the notice of Government the somewhat unsatisfactory kind of food supplied to the B class prisoners of the vegetarian kind. I wonder whether the honourable members are aware of the huge difference between the cost of the vegetarian diet of a B class prisoner and the non-vegetarian diet of a B class prisoner. On looking at the two scales of diet one would find that while the cost of a B class prisoner's non-vegetarian diet comes to about twelve annas—I am not precise, I am simply making a rough estimate—the cost of a B class prisoner's vegetarian diet is only about five or six annas. I consider, and I hope that honourable members of this House will agree with me that this is a very unsatisfactory distinction between the same class of diet, although one is vegetarian and the other non-vegetarian. I also made a similar motion in 1933, I think, and the then Home Member gave a satisfactory reply and he almost promised that he would try to settle the question. But I find, Sir, that nothing has so far been done, and the distinction still remains. I would therefore request the Hon'ble the Home Member kindly to remove this difference and increase the cost of the vegetarian diet of B class prisoners still more, if not to the same figure as that of the non-vegetarian diet. That will satisfy not only the public but also the vegetarian B class prisoners.

The second thing which I would like to emphasize under this cut is that while I admit that there has been considerable improvement in the dieting arrangements of C class prisoner as stated by the Hon'ble the Home Member in his opening speech I submit that something still remains to be done. In this respect, Sir, I would like to congratulate the present Inspector General who has effected a great many changes in matters of diet and we are all grateful to him for this. But still something remains to be done, and one thing I would particularly suggest to him as well as the Hon'ble the Home Member is in regard to the arrangements for cooking of *rotis* in jails. The way in which *rotis* are cooked in the jails is not satisfactory. I do not know whether any alternative method can be found out. I know that the jail authorities supply good stuff. The *ata* they supply is good and the grain supplied is also of superior quality which is purchased by the Jail Department with the help of a non-official member of this House ; but the cooking arrangements, whereby the *chapatis* are spread on a large iron sheet and cooked are not very satisfactory. I would ask the Inspector General to find out if he can devise, with expert advice, any suitable method of cooking these *rotis* and if it is possible to introduce it at the earliest possible moment.

* The honourable member has not revised his speech.

Shaikh Muhammad Habib-ullah : My friend the mover of this cut has brought out a point which relates to the difference in the cost of the vegetarian and non-vegetarian diet. I think this difference is imposed by the vegetarian himself.

(*Pandit Joti Prasad Upadhyaya : No.*)

I say in all earnestness that whenever I entertain my vegetarian friends I try my best to give them as good a food as possible, but I have to confine myself in the selection of best vegetables, milk in all its varieties, i.e. curd, ghee, butter, in addition to sweets and pickles. There will always be a difference in the price of diet of a vegetarian and non-vegetarian B class prisoner. My friend only bases his argument on the difference in price, i.e. 12 annas and 6 annas for non-vegetarian and vegetarian respectively. He does not say that the standard of food of the B class vegetarian prisoner should be raised so as to make it higher than the B class non-vegetarian. The price will always remain low. A vegetarian who has accepted to live on a vegetable diet will always live on a simpler and cheaper diet at a smaller cost. If a vegetarian has a good milk cattle and a fine vegetable garden he is absolutely secure against any bad food, while that is not the case with a non-vegetarian.

As for the *chapatis* it is said that they should not be cooked on an iron sheet or *tawa*. I may tell him that the best *chapatis* even for the royal table are cooked on the *tawa*. The only other alternative is to have *thamiri* bread and that is cooked in an oven or *tandur*. If it is said that the *chapatis* cooked on the *tawa* are not properly cooked, that is a different matter. But if they are to be cooked these are the only two ways of cooking.

(*Pandit Joti Prasad Upadhyaya : Not entirely on the tawa.*)

I repeat again that the best *chapatis* are cooked on the *tawa*. I do not know, perhaps there may be another system of cooking for the vegetarian, but that is not known to me. So I do not understand in what form practical effect is to be given to his resolution : just to raise the price of the diet, regardless of the standard. If that is the logic I have nothing to say. But if we are to raise the standard equal to the B class non-vegetarian, then surely there will always be a difference in the price of the food of vegetarian and non-vegetarian of the same class.

Major H. M. Salamat Ullah : As regards the cut which has been moved by Pandit Joti Prasad Upadhyaya, he says that we have got a special scale for A and B class prisoners. The scales are in my hand. There are different kinds of scale laid down according to the mode of living of the prisoners—some are vegetarian and some are non-vegetarian. But there is nothing laid down in the orders that this diet should be 12 annas and this 9 annas and that 6 annas. No monetary value is given to any diet. The diets are there. If the honourable member suggests any improvement then we will consider it.

I have studied the thing and I find that in the non-vegetarian diet we give meat to prisoners. Of course in the vegetarian diet that item is omitted. In the vegetarian diet we give butter or *ghee*, according to the requirements of the person. In vegetarian diet we generally give *ghee*, and give more vegetables. We give more *dal* to non-vegetarians. Superintendents have orders that they can vary the diet. More rice is also issued to non-vegetarians. If the honourable member can suggest more improvement, we are ready to do that.

As regards the question of *chapatis*, the question has been discussed on the floor of this House. I have been to different provinces in this country, and I have seen prisons in about a dozen foreign countries. In foreign countries they do not give any *chapatis* : they generally give loaves of bread. And in all the different provinces of India *chapatis* are made on *tawa* or they are made in an oven or *tandur*. In the Punjab and the Frontier they have ovens, but nowhere else in India is this system practised. I find that *chapatis* are very thick. When made in an oven there is more probability of the *chapatis* remaining raw than under the present system. The whole question is, however, under my consideration. I went over to Bihar only last month, and from there I learnt that *chapatis* there were very puffed up. I will try to introduce the Bihar system in this province, and I hope I will be able to issue a circular to all superintendents on that subject very soon.

***Pandit Joti Prasad Upadhyaya :** Sir, although as stated by the last speaker the price of the various articles that are supplied to non-vegetarian and vegetarian B class prisoners is not given in the tables given in the Jail Manual, yet if the prices of the various articles are calculated at the current market rates, I am sure, Sir, the total of the entire diet would come to the figures which I indicated in my previous speech ; namely, 11 or 12 annas and 5 or 6 annas, respectively, in the case of non-vegetarians and vegetarians. I have got two tables through the courtesy of the Hon'ble the Home Member and I find, Sir, that B class vegetarian prisoners only get 4 chhataks of milk. I wonder whether any honourable member here sitting on the floor of this House would consider this quantity of milk to be sufficient for a respectable person, and whether any B class prisoner would be content with 4 chhataks of milk for the whole day. (*One honourable member : Is nothing else given ?*) Everything is given. Supposing everything is given, *atta*, *dal*, etc., etc., but is 4 chhataks of milk normally required for an ordinary man ? I think this quantity of milk is too little for a B class prisoner. In my opinion he should get at least 7 chhataks. Similarly, I do not agree with my honourable friend Shaikh Habibullah who probably being a non-vegetarian himself has great sympathy with non-vegetarian prisoners. Similarly we find that only $\frac{3}{4}$ chhatak of *ghee* is supplied to a "B" class prisoner. Now this too is in my humble opinion a very small quantity. This quantity is for the labouring "B" class ; for the non-labouring "B" class prisoners they supply only half a chhatak, which is ridiculous. I would, therefore, suggest that for the non-labouring "B" class vegetarian prisoners

***The honourable member has not revised his speech.**

[Pandit Joti Prasad Upadhyaya.]

the amount of *ghee* supplied should be raised to one chhatak and to the labouring ones it should be at least $1\frac{1}{2}$ chhataks. If the Government supplies meat to the non-vegetarian prisoners in the same class, I think the vegetarians should get a greater amount of *ghee* which is the principal part of their diet. These are, I think, the main items in which a change is necessary although the amount of vegetables supplied to this class of prisoners may also advantageously be increased, for here it is only four chhataks.

Now if we look at the non-vegetarian diet of the "B" class prisoner, we find that he gets six chhataks of *ata*; so also does the vegetarian. While a non-vegetarian gets three chhataks of rice, the vegetarian gets five. So there is only a difference of two chhataks of rice in the principal articles of diet of the two classes of prisoners. The *ata* is just the same. A non-vegetarian gets one chhatak of butter. Why should he get one chhatak of butter while the vegetarian should get only half a chhatak? I think they are men possessing equally good health and should get equal amount of butter. Butter is not a non-vegetarian diet. If one chhatak is supplied to a non-vegetarian, there is no earthly reason why the same amount of *ghee* should not be supplied to a vegetarian although in my opinion in the case of the latter the amount of *ghee* should be greater because a non-vegetarian also gets meat which also contains a lot of fat. The non-vegetarian, in addition to getting meat, also gets five chhataks of milk while the labouring class of vegetarian prisoners get only four chhataks and the non-labouring vegetarian prisoner is given only three chhataks. All this difference, I submit, will appeal to my friend Shaikh Habibullah and he will now say that I am pleading a right cause although in the beginning he said that I was simply speaking more or less on sentimental grounds.

I hope I have now made out a case for the vegetarian "B" class prisoner and I am sure the Government will do something to remedy this difference.

The Hon'ble the Home Member : This has developed, or shall I say degenerated, into a debate between vegetarians and non-vegetarians. I personally happen to be a non-vegetarian, but of a very mild type. I think that if I went to jail I would probably prefer to be a vegetarian.

As my honourable friend, Shaikh Habib-ullah, has pointed out, there is no question of the relative cost of the two kinds of diet. What happens is that a dietary standard is fixed, not by laymen but by responsible medical authorities who decide that a certain quantity of food is necessary, whether for a vegetarian or a non-vegetarian prisoner, and that certain articles of diet are required for either type in order to keep them in a reasonably good condition. My honourable friend, Pandit Joti Prasad, will find that in the great majority of cases both non-vegetarians and vegetarians go up in weight after they have been a certain time in jail. Then there are the striking mortality statistics, to which I referred in my opening speech. I think that these facts show that we do not starve our vegetarian

prisoners. Another point is that there are certain items, such as meat, which are more costly than the corresponding vegetarian articles. And I should like to repeat what the Inspector General of Prisons has said that certain articles of diet such as rice, *dal* and vegetables are more liberally supplied to vegetarian than to non-vegetarian prisoners. I am sure that when next my honourable friend goes inside a prison, not in any other than a voluntary capacity, he will find that B class vegetaran prisoners as a whole have no complaints to make against the diet given to them on the ground that their non-vegetarian fellow prisoners are better treated. I at least who have visited many jails, have never recieved such a complaint. The suggestions, however, that he has made will be considered by the Inspector General of Prisons with a view to find out if there is any necessity for a change in the standard which has been laid down for vegetarians.

The question of the relative advantage in the methods recommended by my friend and by Shaikh Habibullah for cooking *chapatis* is not one about which I can give any opinion. As the Inspector General has stated, he is considering the question of improved methods in regard to the cooking of *chapatis*, and I have no doubt that before coming to a conclusion both the suggestions made by Pandit Joti Prasad and Shaikh Habib-ullah will be examined.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under sub-head B—Central jails, a reduction of Rs.4,200 be made.

I had no desire to move this amendment, but I find that on page 9 of the Detailed Estimates there has been an increase under the head "Head Jailors" from 8 to 9 . . .

The Hon'ble the President : That was already discussed by Babu Jagadeva Roy ; the honourable member did not speak then.

Khan Bahadur Saiyid Jafer Hosain : Sir, I was not in the House then. I withdraw my motion.

The motion was, by leave, withdrawn.

Rai Bahadur Babu Jagadeva Roy : Sir, I beg to move that under sub-head C—District Jails—1. Pay of Officers—Superintendents, a reduction of Rs.3,000 be made.

If we look at page 10 of the budget (Volume IV) under the head "District Jails," we will find that under "Pay of Officers, Superintendents" there is a special pay of Rs.250. My point is that this item of special pay of Rs.250 should be omitted. When I say so I mean that the pay which is given to the Superintendents should be sufficient and, even if it be not sufficient, in view of the present financial condition of the province it would be advisable to discontinue such sort of pay. I remember that it was only a few days back that it was pointed out that the special pay which was being given to the City Magistrate of Lucknow has been withdrawn. I think that that may not be taken to be a precedent, but what I say is that even on general grounds there is absolutely no reason to allow a special pay of Rs.250 to an officer who is getting as his substantive

[Rai Bahadur Babu Jagadeva Roy]

pay Rs.250—500. So I think that this item should be omitted and the Government should see how it affects the efficiency of the working. Therefore I have moved this cut.

Major H. M. Salamat Ullah : Sir, the honourable member has referred to the special pay of Rs.250 which we give to a Superintendent under the head "District Jails". This item belongs to the Superintendent of Sultanpur District Jail. It is the only district jail in the province where we have a whole-time Superintendent. He is an expert, a specialist in the disease of tuberculosis, and he is not allowed to do any practice. Therefore, he is entitled to some special consideration. We have therefore always been giving him a special pay of Rs.250. However, the old incumbent has recently gone away and in the case of the present incumbent the Government has given orders that this special pay will be reduced. This matter is still under the consideration of Government, but it is certain that the new incumbent will not get the special pay. It will, however, be realized that he is entitled to get some special pay because he is not allowed to do practice.

The Hon'ble the Home Member : Sir, I would only add to what my friend, the Inspector General of Prisons, has stated that the pay of new incumbents has been reduced by Government.

Shaikh Muhammad Habib-ullah : Is it a fact that the Superintendent in charge of the Sultanpur Jail is a specialist in tuberculosis, and that he is not allowed private practice ?

The Hon'ble the President : This question has already been answered by Major Salamat Ullah.

Shaikh Muhammad Habib-ullah : Is it a fact that this allowance which is in lieu of private practice is going to be cut down now ?

The Hon'ble the Home Member : It is only in the case of future incumbents that the special pay will be reduced.

Shaikh Muhammad Habib-ullah : Will future incumbents be allowed private practice ?

The Hon'ble the Home Member : No.

Khan Bahadur Maulvi Fasih-ud-din : When the special pay is to be reduced, why should the Government offer any opposition to the cut which has been proposed ?

The Hon'ble the Home Member : Because, Sir, it will not be entirely done away with, it will only be reduced.

Khan Bahadur Maulvi Fasih-ud-din : To what extent ?

The Hon'ble the Home Member : I think, Sir, the reduction is either Rs.50 or Rs.100 a month, but I am not in possession of accurate information on this point.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I propose an amendment to the motion which has been put forward, namely that Rs.1,500 be substituted for Rs.3,000.

The Hon'ble the President : That is self-explanatory, and does not require any explanation. Does it? The amendment is that for Rs.3,000, Rs.1,500 be substituted.

Rai Bahadur Babu Jagadeva Roy : I find myself unable to agree with the views expressed by my friend, Khan Bahadur Maulvi Fasih-ud-din, for the main reason that I am not in possession of facts which go to show how many prisoners of that particular jail suffered from tuberculosis and treated by the Superintendent of that jail. Moreover if the Superintendent of that jail is a specialist in tuberculosis, then his remaining in one particular district is of no importance. It would be a great mistake for the Government to pay him an extra Rs.100.

The Hon'ble the President : This is a special jail for tubercular prisoners.

Rai Bahadur Babu Jagadeva Roy : Even then I should like to know the number of patients treated in that jail and the results of that treatment. The amendment proposed by Khan Bahadur Maulvi Fasih-ud-din seems to be reasonable ; and I should expect that the Hon'ble the Home Member will see his way to accept a reduction to the extent of Rs.1,500.

The Hon'ble the Home Member : Sir, the new incumbent who, I understand from the Inspector General of Prisons, has only come recently, will get a reduced special pay as compared with that of his predecessor. As there will be some reduction, it follows that the amount in the budget will be reduced *pro tanto*.

The motion was, by leave, withdrawn.

Rai Bahadur Babu Jagadeva Roy : Sir, I beg to move that under sub-head C—District Jails—2. Pay of Establishment—Deputy and Assistant Jailors, a reduction of Rs.6,863 be made.

From page 10 of the Detailed Estimates under the head "Pay of Establishments" we find that the number of jailors, deputy jailors and assistant jailors in 1935 has gone up from 80 in 1935-36 to 81 in the coming year, and also in the budget estimate there is a difference of Rs.6,863, when compared with the amount budgeted for 1935-36. In view of the financial stringency I submit that there should be no increase either in the number or the amount.

Khan Bahadur Saiyid Jafer Hosain : Sir, my cut motion no. 9 is also to the same effect. May I move it as an amendment?

The Hon'ble the President : Yes.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under sub-head C—District Jails—2. Pay of Establishment, a reduction of Rs.3,000 be made.

From a perusal of the Detailed Estimates on page 10 we find that the number of jailors has been increased in the coming year and consequently the amount has also been increased from what it was in the year 1935-36. My friend the mover of the original cut has moved for

[Khan Bahadur Saiyid Jafer Hosain]

reduction of Rs.6,863, but I consider that that amount is not reasonable, because allowance must be given for the normal increase in the annual pay of those Government servants who are on incremental scale. In view of this, we must only allow reduction to the extent of the salary of that extra man, who has been added for the next year. I consider that in these days of economy there is no reason to add to the number of Government servants and I hope the Hon'ble the Home Member will accept this amendment of mine.

Major H. M. Salamat Ullah : Sir, the honourable members have pointed out the increase in the number of jailors and deputy jailors, but if they will study the details they will find that there are two kinds of jails—district jails and central jails. Jailors and deputy jailors are transferable from the central to the district jail and from the district jail to the central jail. The number of jailors in the central prisons has been reduced from 28 to 27 and, therefore, the number of jailors in district jails has risen from 80 to 81. That is a normal procedure. The total number in district and central jails remains the same.

Rai Bahadur Babu Jagadeva Roy : Sir, I am afraid the Inspector General of Prisons, while I moved my first cut under "B—Central Jails," he gave the same explanation. There he said, the number of head jailors went up from 8 to 9 because the number of jailors went down to 27 from 28. So my point is that the explanation which he gave there was applicable so far as superintendents and head jailors under the central jails were concerned, because there we find that the number has risen from 8 to 9. Now he gives the same reason, and therefore, the point to be considered is that there must have been an increase of one somewhere else.

(Major H. M. Salamatullah rose to make a reply).

The Hon'ble the President : You can only give a personal explanation.

Major H. M. Salamat Ullah : The honourable member is quite right when he said that in one of my previous speeches I mentioned that the number had been reduced, but if he will study the whole thing the honourable member will also find that amongst the head jailors there is a decrease of one among the district jails. If he adds all the figures, I am sure he will find that the number is exactly the same. I can assure him on this point.

The motion was, by leave, withdrawn.

Thakur Girraj Singh : Sir, I beg to move that under sub-head C—District Jails—2. Pay of Establishment, a reduction of Re.1 be made.

In this connexion I want to know one thing, i.e. about the recruitment of deputy jailors in the coming financial year. Will recruitment be made by open competition or by nomination or by both? If that is to be done in the coming financial year by both, how many are to be taken by open competition and how many by nomination?

The Hon'ble the Home Member : Sir, there will be no appointment of deputy jailors in 1936. Twelve were appointed last year by a selection committee composed of the Inspector General of Prisons, the Judicial Secretary and myself. We find that this number is adequate for our purposes and during this year we do not propose to select any more deputy jailors.

The motion was, by leave, withdrawn.

Thakur Giriraj Singh : I beg to move that under sub-head C— District Jails—4. Supplies and Services, a reduction of Re.1 be made.

Under this head, Sir, I want to make a few observations about "Supplies and Services" in district jails. We were glad to hear from the Hon'ble the Home Member this morning in his opening speech that much improvement has been made in the supply of food given to prisoners now a days. But I wish to submit, Sir, that there is still room for improvement. I know, Sir, that unless more money is spent.....

The Hon'ble the President : But this is exactly what we were discussing under "Dietary charges." If the honourable member has any new point to make he may go on, otherwise not.

Thakur Giriraj Singh : There is one new point which I want to submit. If district grain committees meet earlier than they do at present, much saving can be made and that saving could well be spent on the improvement of food to prisoners.

Major H. M. Salamat Ullah : As regards the purchase of grain, the system that is in practice these days is that we have a central committee here composed of the Judicial Secretary, myself, a representative of the Stores Purchase Department, and a representative of the Agriculture Department. In addition to that we have two representatives of this House. In each district we have a district grain purchase committee with the district magistrate as the president of the committee and the superintendent of the jail as secretary, and we generally take a non-official visitor, that is, an honourable member of this House, as the third member. These committees are generally held exactly at the time the honourable member wants them to be held. He wants that these committees should meet immediately after the harvest and they are generally held between 15th April and 7th May every year, which is the time when the harvest generally comes in. If the grain runs short later on, say in December or January and it is necessary to have another meeting of the committee, we hold one. In the main the committee sits in the months of April and May, and that is just the time when the harvest is gathered.

Thakur Giriraj Singh : With due respect to the Inspector General of Prisons, I submit that if this committee is held in the second or third week of March in place of April and May, it would be better. My reason is that if two or three contractors come forward for supplying grains and they promise to supply gram, wheat, arhar, mustard, etc., and if one of them fails to supply the grain, there will be delay in

[Thakur Giriraj Singh]

making other arrangements for supplying grains. Last year I know of a case where the contractor was not able to supply grain at the proper time, with the result that another committee was held after a few days and by that time there was such a fall in the prices that it cost the Government no less than Rs.800 for the purchase of wheat and gram. So my submission is that if the central committee is held earlier and if the district committees are also held in the second or third week of March, there would be no harm. Let us make an experiment. What is the harm in it?

The Hon'ble the Home Member : I understand, Sir, that much of the wheat which is purchased comes from the Punjab and, as the honourable member is aware, the winter harvest matures in the Punjab considerably later than in these provinces. It is for this reason mainly that the district grain committees are asked to sit on some date after the middle of April. By that time the prospects of the harvest are better known than they would be a month or six weeks earlier. It is possible, however, that in the case cited by my honourable friend the committee met too late. If he cares to bring this case to my separate notice, giving some detailed information, I shall be glad to ask the Inspector General of Prisons to see that no such delay occurs in the future.

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh : I beg to move that under sub-head C—District Jails—Total, voted, a reduction of Re.1 be made.

Sir, I wish to know how under the head "Supplies and Services" a provision of Rs.22,000 less has been made. The explanation given in the Memorandum by the Finance Secretary is :

"owing to smaller provision for dietary, hospital and clothing charges as a result of economy."

Sir, I wish to know what economy will be made in the dietary charges of the prisoners? I take it that the number of prisoners estimated for the next year is the same as for this year. There is no decrease in the number of prisoners and unless the quality of food that is going to be supplied to prisoners is inferior, I do not know how there can be any economy in the diet and also there can be no economy in hospital charges unless we do not supply milk or anything of that kind. Under the dietary charges there is a less provision of Rs.10,000 this year and under hospital charges there is a provision of Rs.6,000 less and under clothing and bedding charges there is a provision of Rs.2,000 less. This makes a total of Rs.22,000. I do not know what economy is going to be made under these heads.

dent : As regards these economies in the Hon'ble the Home Member made a statement scheme was under discussion.

hsh Singh : But, Sir, what I say is this that food is going to be given, I do not know to be effected and in what manner.

Major H. M. Salamat Ullah : Sir, this reduction, which is referred to by my honourable friend, is not due to inferior diet that is going to be issued to prisoners. This has been assured by the Hon'ble the Home Member earlier in the day. There is no question of issuing juar, bajra, or any other inferior diet. But if the honourable member will study the diet of the public he will find a marked difference between the diet of the people in the eastern and the western districts of the province. In the Punjab no one knows what arhar is, but here we give arhar dal to our prisoners in the whole of the United Provinces. We suggested to Government and I am responsible for it, that instead of giving arhar again and again every day to the prisoners, it will be better to give some variety. I find that in the western districts urd dal is much cheaper; in some hilly districts masoor dal is much cheaper. So it is not necessary that we should give arhar dal only. We can give a variety to the prisoners and at the same time we can effect a little economy. As regards the hospital charges and clothing, there is not considerable reduction. This reduction is only normal. It depends upon the value of clothing. It depends upon the bazar rates of cotton and wool. The reduction of Rs.2,000 out of Rs.60,000, I think, is not a thing which requires more explanation in this House.

The motion was, by leave, withdrawn.

Thakur Balwant Singh Gahlot : Sir, I beg to move that under sub-head C—District Jails—Total, voted, a reduction of Re.1 be made.

My object in bringing forward this token cut is to bring to the notice of the Government the necessity for introducing industries in practically all the district jails on a greater and more extensive scale. When I read the report on the administration of jails, I find that a reference to industries in jails has been made in this with regard to central prisons and not to any other district jail with the exception of Cawnpore. Sir, by introducing vocational training and by manufacturing different things in the district jails, we will not only be making the prisoners more useful members of the society, but also adding to a great extent to the income of the district jails. We find that in the case of the Cawnpore District Jail it is more or less a paying proposition. If by making the prisoners more useful to themselves and to the public at large we can also get something for the upkeep of these prisoners I think it is a very good idea. The chief purpose of these jails is not only to detain the prisoners for a certain length of time but it would be a good thing if these prisoners, when they come out, are trained in one or other of the indigenous industries that are existing in that locality, which occupation they can follow after coming out of the prison. Instead of opening mere history-sheets, it would be better to give them some sort of encouragement to work in these industries that have been taught in the prisons. I think a useful purpose will be served by this. There is absolutely no mention in the report whatever whether there are any factories established in other district jails. I have visited the Bijnor jail. There the prisoners weave carpets and do certain other minor work, but if greater attention is paid to this, I think a more useful and better purpose will be

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served by introducing these industrial and vocational training in all the district jails.

Major H. M. Salamat Ullah : Sir, the honourable member has raised the question of industries in our jails and I find myself in entire agreement with what he has said. There is room for improvement in our factories, but the question is that owing to present trade depression there is paucity of orders. If the honourable member can help us in securing orders we are ready to do whatever is possible. I find that the factory cash profits are steadily going down year after year, but I am glad to inform the House that in the year 1935 there has been a substantial increase, and we are doing all that is possible. If we can get more orders from the public and from the Government Departments we would be eager to do what we can.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I have got a motion in my name to the same effect, namely, motion no. 17-A, but I will content myself with speaking on this particular motion of my friend, Thakur Balwant Singh. Sir, I have been bringing out this very point so often on the floor of this Council that the Jail Department should be more careful about the selection of industries in which it trains its prisoners. I find that these industries are fixed in the various jails of this province in a somewhat slipshod manner and no attention is being paid to the local industries, the products of which will find a ready market. I entirely agree with the Inspector General that the chief difficulty lies in connexion with the sale of the articles and that there are no special arrangements for marketing. I would suggest in this connexion that only those industries be started in the jails of a district which are prevalent in that particular district. A survey of the various kinds of industries and the manufacture of articles was made in the beginning of the Reforms when our friend Mr. Chintamani was Minister in charge of Industries, and that survey, although it has become out of date, is still available. Those books should be consulted and I think it will be advantageous to the Jail Department to take up only those industries which are peculiar to particular districts. I do not wish to go into the details of this subject in connexion with the Budget discussion, but I can only say that the development of industrial activities will depend very much on the equipment for industrial work of the prisoners when they leave the jails. They will then become self-supporting and will not have to depend on their nefarious professions of theft and robbery and they will lead an honest life. The difficulty of marketing is the real difficulty and I am glad that Government is now making full arrangements for the sale of the manufactured articles.

The other point that I wish to bring out in this connexion is that I find that in some of the jails the work of manufacture gives a loss to the Government, while in others it is profitable to Government. I would suggest that in the annual jail report a full list of the jails be given and the cost of the manufactures including an estimate of the wages of the prisoners as well as the cost of the material should be given on the one side against each district and the net profit or net loss.

should also be indicated in the report. In that way those jails which are working at a loss will be known. The jails should always carry on the work at a profit and not a loss.

(The Council at this stage adjourned for lunch at 1.15 p.m.)

(After recess the House reassembled at 2 p.m. with the Deputy President in the Chair)

Shaikh Muhammad Habib-ullah : The point under discussion at this moment is the enlargement of industries in jails. Some of my honourable friends have said that we must try to manufacture certain articles in a large quantity and arrange to find markets for them for their sale. The very idea of introducing the industries in jails has been to give a kind of education to the criminals to learn a vocation, so that it may be of use to them when they come out of jail and instead of going back to their criminal habits they may earn their livelihood by means of some honest labour. But the question of industrialising the jail and getting things manufactured by means of forced labour and to put them into the market to compete with the product of paid labour is a proposition which cannot stand to reason or which can be accepted. I remember that even before the pre-reform days the Government issued a very very clear circular on that point, and they said that the jails should not manufacture things in order to compete with the market on outside trade. As everybody knows there are two classes of prisoners in jails : the short-term, and the long-term or habitual criminal. It is the long-term or habitual criminal who learns something to manufacture, e.g., carpets and other things. The short-term prisoners hardly get time to learn anything, they just try to pick up the thread of a particular industry. If my friends are of the opinion that the jails should be used as training ground for the prisoners who go there, then I think they are correct. But if they wish by means of prison labour to compete with the outside trade then I think they will be counteracting the recommendations of the Unemployment Committee. So, I sympathize with the mover of the motion in so much that our attempt should be that the people who are sent to jail should be taught to pick up certain industries—quite right—but if the Jail Department want to organize any labour industry in jails with a view to compete with outside industry, I think they cannot get the support of this House. Of course the case of juvenile offenders is quite different. Their jail is their school. It is not a jail for them, but it is a school for them where they are taught as schoolboys who have in the beginning of their lives run amock by the influence of bad environments. But the atmosphere of central jails and other jails is quite different from the atmosphere of a school, or from the atmosphere of a jail kept separately for juveniles.

Khan Bahadur Saiyid Jafer Hosain : Sir, I consider that the motion that has been moved by my friend Thakur Balwant Singh Sahib is a useful one, and it will give a great impetus to the reformation of hardened prisoners if they are taught certain professions which would come in handy and be useful to them after their release from jail. But

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I do not subscribe to the view which has just been enunciated by my friend Shaikh Habib-ullah Sahib, namely, that they should not be taught these professions in order that they may be in a position to earn their living.

Shaikh Muhammad Habib-ullah : I did not say they should not be taught.

Khan Bahadur Saiyid Jafer Hosain : Well then in that case it comes practically to this. If they are not allowed to work and to learn manufactures on the basis of commercial manufactures, then it is very little use teaching them these manufactures and industries. If you waste money in giving them the rudiments of manufactures of different articles, and yet in that case if you do not teach them how to compete, when they come out of jail, with similar manufactures and industries then in that case I am afraid there will be very little scope for their success. I consider it very essential that they should be given to understand that their success would depend on the lines on which commercial trade operations are run ; and if they are not taught in that way, they will hardly be able to compete in the open market when they come out of jail.

Then, Sir, there is another point on which I should like to lay particular stress, and it is that there are certain special trades in certain districts. It is necessary for the Government to consider whether it would be useful to have prisoners taught specially these trades which are practised successfully in that particular district. For instance—to take a concrete example—in the district of Moradabad, garha cloth manufacture and the manufacture of brass-ware and the preparation of leather is practised to a considerable extent. The latter, namely, the preparation of leather is mainly done by the chamars who form a great proportion of the population in the rural areas. It is a fact that the bulk of the prisoners come from rural areas, and therefore it is necessary to give them coaching in those particular trades. It will be to their benefit that when they come out of jail they would be in a position to earn their living by that particular handicraft or trade which has got a ready market in that particular district. With these words I, Sir, resume my seat.

The Hon'ble the Home Member : There were certain points in the speech of my honourable friend Thakur Balwant Singh which I do not think have yet been answered. He asked in the first instance about industries in jails—both central and district—and seemed to be labouring under the misapprehension that the teaching of prisoners in industries and manufactures was confined to central jails. This is not the case. I think that I am right in saying that in almost every jail, whether it is a central jail or a district jail, convicts are taught industries of various kinds.

Thakur Balwant Singh Gahlot : What I meant to say was that a mention about industries has been made in the Administration Report of the Inspector General in respect of central jails only. I submit that mention should have been made about different industries in different jails.

The Hon'ble the Home Member : The main reason for the omission is that the profits in central jails are larger. I think, however, that the chief point to which the honourable mover drew the attention of the Government was that the impetus given to jail manufactures was not adequate. He wanted expanded industries and larger profits. I think that I can give to him the necessary assurance. The Inspector General of Prisons has recently addressed the Stores Purchase Officer and the Director of Industries and has asked them to help his department to secure contracts and to invite the attention of other departments with a view to the purchase of jail-made goods. Also, as the Inspector General of Prisons has pointed out in his remarks, the profits for 1935 were larger than those for 1934. If and when prices rise, there is every hope of a further increase in the profits derived from manufactures in jails. There is a list, which has been placed before me, which shows that not only central jails, but practically every district jail shows a profit, large or small, for 1935. That I think sufficiently deals with the points referred to by the honourable member.

My friends, Maulvi Fasih-uddin and Khan Bahadur Saiyid Jafer Hosain, whom I congratulate on his recent appointment as a member of the Central Grain Purchase Committee, referred to the desirability of teaching prisoners such industries as are in local existence. That, Sir, is not an easy problem. There is the difficulty that jails are not supposed either in this country or in most other countries to compete against what I might term the free artisan. There will be many complaints, I have not the least doubt, from local manufacturers if prisoners confined in local jails produce articles for sale at lower rates or even at the same rates as those in vogue among local manufacturers. As a matter of fact the kind of articles which are produced in district jails are such as are in general use. For instance, *munj* matting, durries, carpets, etc. are not confined to any one district but are needed in every area throughout the province. I think, therefore, that, generally speaking, it is desirable that prisoners should be taught such industries as are general throughout the province and from which they can derive a satisfactory pittance in any district after they leave prison. The question is, as I have just stated, one of considerable difficulty and jail manufactures have on the whole done well considering the present depression.

Thakur Balwant Singh Gahlot : Sir, the Hon'ble the Home Member has pointed out that there are some sort of industries practically existing in every district jail. My intention in moving this cut was simply to give a greater impetus to these jail industries. The chief difficulty that was pointed out was that there is not sufficient market for the products of these jail manufactures. In regard to that I may point out that though the articles that are produced in the jail are quite good a higher price is generally charged for them than what is the prevailing price in that locality. That is one of the reasons why there is not a general demand in the market of the products manufactured in jails. The jail authorities should keep this fact

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in view and should not charge more than what is charged in the open market. An order was placed with the jail authorities for *munj* matting, and it is a fact that what the jail authorities were charging was certainly higher than the market rate. If we keep two things in view — i.e. give an impetus to the jail industries and keep an eye that a fair price is charged—there is no reason why there should not be a demand for the jail products, because there are other departments of the Government which can help in securing orders for the jail products.

The other thing to which the Hon'ble the Home Member objected was that there would be some sort of heart-burning among the local artisans if Government were to introduce local industries in jails. I think this argument will not stand to reason and closer scrutiny, because if we teach prisoners an industry which is not existing locally then it is too much to expect from a prisoner to establish an independent business when he comes out of jail. If he, however, were taught a local industry, then he can hope, when he comes out of jail, to get fair wages in some of those concerns which already exist. So, Sir, my only object is that greater attention should be paid towards this branch of jail administration, and detailed information should be supplied when these administration reports are framed.

The Deputy President : Does the honourable member wish to press his motion ?

Thakur Balwant Singh Gahlot : If I have an assurance from Government or not that these two requests will be acceptable to Government, then I will decide as to what should be done.

The Hon'ble the Home Member : I shall be glad to pass on both these requests to my honourable friend sitting on my left.

Mr. C. Y. Chintamani : That is nothing.

The Hon'ble the Home Member : If my friend, the Leader of the Opposition knew Major Salamat Ullah as well as I do, I am sure he would not say that that was nothing.

The motion was, by leave, withdrawn.

Pandit Joti Prasad Upadhyaya : I beg to move that under sub-head E—Lock-ups a reduction of Re.1 be made.

Thakur Balwant Singh Gahlot : Sir, I wanted to move motion no. 11-B.

The Deputy President : The honourable member should have been more prompt. We have now taken up motion no. 11-C and Pandit Joti Prasad Upadhyaya has already moved it.

Pandit Joti Prasad Upadhyaya : My object in moving this cut is to bring to the notice of Government the long period for which the prisoners who receive capital sentences are detained in the jail lock-ups after the final order by the judge has been passed. These prisoners are sometimes detained for a period extending over 3 to 6 months.

I want to draw the pointed attention of the Government to this matter, and would request them to see that the prisoners are not detained in the lock-up for such a long period after judgement has been pronounced by the sessions judge, and that their cases should be decided as speedily as possible, because, both on moral grounds as well as on grounds of convenience, it is much better that the cases should be decided either this way or that way more speedily. These people pass a very struggling life during this period.

The Deputy President : Does this matter come under "Jail administration?"

Pandit Joti Prasad Upadhyaya : I am speaking of their detention in the lock-ups.

The Deputy President : If the honourable member has anything to say about the inconvenience or anything like that, as regards the detention of prisoners in the lock-up, it can be discussed here. But the question of expediting the cases pending in courts of law does not come here.

Pandit Joti Prasad Upadhyaya : Then I would take up the question of expediting the cases later on.

The Deputy President : The motion is out of order.

Rao Sahib Thakur Shiva Dhyani Singh.

(راجہ صاحب تھاکر شیو دھیان سنگھ)

Sir, I beg to move that under sub-head H—Charges for reformation of Criminal Tribes—3 Kalyanpur Settlement, a reduction of Re.1 be made.

میرا ارادہ اس کت سے ایک لمبی چوڑی تقریر کرنے کا نہیں ہے کیونکہ وقت بہت ہی کم ہے صرف میں کچھ نمبر پیش کرنا چاہتا ہوں کہ معجزہ کو اُن کے بابت اطلاع مل جاوے :—

- (۱) کلیان پور سیٹل مینٹ کب سے قائم ہوا ؟
- (۲) کون کون لوگ اُس میں داخل ہوتی ہیں ؟
- (۳) اس سال کی داخلہ کی تعداد کیا ہے ؟
- (۴) کیا کام اس میں سکھایا جاتا ہے ؟
- (۵) پہلے کس کے چارج میں ہے ؟
- (۶) کتنوں کو بعد دفورم ہونے کی Service سروس مل گئی ؟
- (۷) کتنے اُن میں قابل نکلے ؟
- (۸) کیا اس سے آمدنی ہوئی ؟
- (۹) کتنی convert کنورت ہو گئی ؟
- (۱۰) کیا اُس کا خرچہ ہے ؟

The Hon'ble the Home Member : Sir, I am grateful to my friend opposite for his short and pithy speech. I think that I can readily answer a majority, if not all, of his questions. The Kalyanpur Settlement was established in 1922. The inmates belong to the Bhamb, Dom, Haburah, Kanjar, Karwal and Aheria tribes. They are taught tailoring. They also learn, or some of them, to weave. They are also taught agriculture, there being a considerable area of land, amounting to several hundred bighas, attached to the settlement. The Kalyanpur institution is managed and financed by Government. I think possibly that my honourable friend was labouring under a misapprehension in thinking that the inmates, or some of them, have been converted to Christianity. Kalyanpur is a Government institution and I understand that there are no Christians in it.

I am glad that he put to me the question of their employment. It may interest him, as it may interest other members, to know that no less than 50 of the inmates of the Kalyanpur institution, who are members of the criminal tribes, are employed in one or more mills at Cawnpore.

Rai Bahadur Thakur Hanuman Singh : As coolies, or what?

The Hon'ble the Home Member : I cannot give detailed information regarding their employment. May I answer in a somewhat vague and general form? They are given the employment for which they are best suited.

Now, Sir, it is remarkable that mills should employ members of criminal tribes. There are very few of us, and I myself plead guilty on that score, who would venture to have on our premises as our servants persons who belong to a criminal tribe. I remember, years ago, when I was stationed in Aligarh that I tried to take interest in the Haburahs, many of whom live in the Aligarh District. I felt sorry for them. They seemed to be strangers in a strange land, with everybody's hand against them. I decided to employ one of them as my grass-cut. The result was that some of my servants, in one case an old family servant, strongly protested and said that if a member of criminal tribe was employed as one of my servants, they would regretfully be compelled to leave my service. Well, I finally induced them to allow this young Haburah to perform the duties of a grass-cut. Honourable members will be pleased to hear that I was completely satisfied with him. He stole nothing from my house, though I heard complaints that he stole from my next door neighbour. When I left, I gave him a good exit and when I heard of him six months later, I understood that he was doing well. Well, Sir, I have cited this Haburah's case as an illustration of the difficulty of finding employment for these very humble fellow-countrymen of ours.

As regards the number who are released, I can give no accurate figure, but I think that my friend the Inspector General of Police will bear me out when I say that a few are discharged every year, out of those who acquit themselves creditably in the settlement.

may interest my honourable friend to know that these people earn a monthly wage. From the mills they get, what for them is a fairly large remuneration, and they also get money from the industries in which they are employed. For instance, they are able according to the latest figure to earn from Rs.7 to Rs.12-12 per month.

Rai Bahadur Thakur Hanuman Singh : Sir, in connexion with the reformation of criminal tribes there have been debates on the floor of this House several times during the budget discussions. Some years ago it was suggested to the Government that the management of the criminal tribes should be made over to private bodies and Government took up the question into its consideration, but for certain reasons it did not agree to the proposal which was made here.

Sir, when these criminal tribes are kept under strict surveillance of the Government, they cannot be expected to improve their morals and their ideas. They always think that they have to obey orders and whenever there is any chance they revert to their ancestral habits. Here I will quote an example. The charge of the reformation of these criminal tribes in one place has been given to Arya Samajists. I mean the Aryanagar Settlement somewhere near Alamnagar. I am told that the members of the criminal tribes who live there are improving rapidly and are giving no trouble whatsoever. The police posted there has very little work to do in connexion with their control. If other colonies be made over to similar bodies, it is expected that the improvement of the criminal tribes will be speedier than it has been upto now.

Sir, the Hon'ble the Home Member has stated in his reply that tailoring, weaving and agriculture are taught to the inmates of the Kalyanpur Settlement. Every one of us would like to know from him how many of these have gone out of the settlement and settled down in life as tailors, weavers or agriculturists. He may say that for agriculturists there is enough work in the Kalyanpur Settlement, but as far as I know they cannot hold land as cultivators. Sir, we all know that those who go to work in the Cawnpore mills go there under the orders of the Manager of the Settlement. It is not their free will which takes them there, but it is the order which they obey and they have no freedom to go anywhere else but to the mills. Under such restrictions they cannot exercise their own discretion and think for themselves. They always work and do things under the orders of the Manager of the Settlement. Under such a system they cannot pick up courage or acquire intelligence to think of their betterment. The Hon'ble the Home Member has said that the mills are willing to employ the members of the criminal tribes. The mills do it because I understand the Government ask them to do it. I do not know, Sir, whether the profit which the Settlement derives from the wages of the criminal tribes goes to those who do the work or whether it goes to the Government to meet the expenditure of the Settlement. I will again press to the notice of the Government that it should think of making over the settlement to some private persons,

[Rai Bahadur Thakur Hanuman Singh.]

so that the members of the criminal tribes may be treated more sympathetically and be given choice to adopt better ways of living of their own free will. Under the present system they cannot be expected to improve their condition. The Hon'ble the Home Member also said that a few are discharged every year, but he has not been pleased to give even an approximate number of those who are annually discharged from the surveillance of the Settlement Officer. There is no credit to the management if only a very small number of men and women of the criminal tribes are allowed to go out of the Settlement to follow a life of their own choice.

This is a very appropriate question for the Government to consider, if the Government wishes that these tribes should really be reformed. It is a hobby of the Government but it is wrong to think that it is the Government alone which can do something for the people who are backward to bring them to right path or to ameliorate their condition. It is their countrymen who can do it for them and bring them to right path by sympathy and good advice.

Khan Bahadur Maulvi Fasih-uddin : Sir, I entirely agree with the preceding speaker regarding the principles which he has enunciated. But, Sir, principles are after all principles and many of them fail when they are put into action. Sir, this point was raised in this House more than once, I mean the point that these settlements should be made over to private bodies and private associations and the Government every time replied that there were no such associations and no such bodies which were forthcoming to take over charge of these settlements. Sir, we see that we are now living in the days when the Dame of politics is engaging our attention almost solely and when very few people are inclined to devote their time to social reforms, and when all the best brains are engaged in thinking out the advantages of the new Reform Constitution and the schemes on the basis of which we should get more political advantages. Though we find that some men of second rank are doing something in the matter of improving the economic condition of this country and the social status of our people. For that reason I think that there are a very few people who will agree to form an association and put their hands deep into their pockets for organizing associations of this kind.

Rai Bahadur Thakur Hanuman Singh : There are associations existing which are prepared.

Khan Bahadur Maulvi Fasih-ud-din : How many of them have applied for taking over these criminal tribes? What funds have they got? What funds are they inclined to spend on the reform of the Haburahs, Sansihs, Doms and other criminal tribes who are leading a life of crime and who have nothing to live upon except thefts, robberies and dacoities?

Sir, now as to the statement which has been made by the Hon'ble the Home Member that the members of these tribes become much better after receiving some patronage from their employers. I congratulate him on the experience which he had of a Haburah whom he employed as his grass-cutter, but, Sir, my own

[Khan Bahadur Maulvi Fasih-ud-din.]

experience is that it is difficult to change the mentality of these people by such a policy, I mean to say by putting them for a short time in a settlement. Their habits have become hereditary for the last many centuries, not decades but centuries, and it will take two or three generations more before we can hope to see them reformed. A friend of mine told me a story that he employed some Haburahs in his factory in the branch of iron manufacture and when he dispensed with their services they were found to manufacture keys for the use of professional thieves. That is of course his experience. I do not mean to say that we should give up any attempt to reform them, but what I submit is that we will have to wait for decades before we can hope to reform them completely. I happened to be the Sub-Divisional Officer of Kashipur about 20 years back and I noticed that there was a Sansia settlement at Kashipur which was managed by the Salvation Army people who did their work in a missionary spirit and many of whom, who could earn thousands and thousands a month elsewhere, were spending money from their pockets living the lowly life of Sansias themselves, wearing very scanty clothes and walking about with wooden shoes and identifying themselves thoroughly with the life that the Sansias were leading. I was simply surprised to see them and they won my greatest admiration for the unselfish work which they were doing. To say, Sir, that we should take away these settlements from the Salvation Army . . .

The Deputy President : There is no question of Salvation Army settlements. We are discussing Kalyanpur settlement here.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I am speaking about the suggestion which has been made by my friend, Thakur Hanuman Singh, that the settlements should be made over to local bodies.

The Deputy President : Rai Bahadur Thakur Hanuman Singh suggested that the Kalyanpur Settlement be handed over to private bodies. I do not think he mentioned anything about Salvation Army settlements. The honourable member may confine his remarks to the Kalyanpur Settlement which is under discussion.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I do not agree with him when he says that the settlement should be made over to a private body. I do not know which is the managing body of the Kalyanpur Settlement. It is probably the Government. If it be so, I do not think we should run down the Government simply because it happens to be the managing body. I think the Government is doing its work in a most sincere and unselfish manner and in spite of the many faults of the Government, to which we can take exception, we cannot run it down simply because it is doing some good work in connexion with this settlement.

Rao Sahib Thakur Shiva Dhyani Singh :

(راؤ صاحب ٹھاکر شیوہ دھیان سنگھ صاحب) —

خان بہادر مولوی فصیح الدین صاحب نے فرمایا ہی کیونکہ ان جرائم پیشہ لوگوں کی Hereditary ہوگئی ہیں اُن کی ذمہ داری ہونے میں عرصہ لگتا - میں اس کی بابت جناب I.G. صاحب پولیس سے ایک عرض کرونگا۔

[Rao Sahib Thakur Shiva Dhyau Singh.]

بہت سے زمینداروں نے اُن سہولتوں پر پیش قدمی کی ہے۔ جیسا کہ جناب آریہیل ہوم میمبر صاحب نے ایک کو نوٹ دیا تھا۔ بعض زمینداروں نے بھی رکھا لیکن اُن پر نچھا اُن زمینداروں کے پیچھے لگ جاتا ہے۔ اُن زمینداروں کے پیچھے جو اُن کو رفرم کرنے کے لئے طیار ہوتی ہیں۔ اُن پر نچھا جی دجہ سے روزانہ ایک کانستبل اُن کے آگے رہا ضروری کو آجاتا ہے۔ اس سے پھرہ کا انتظام تو ٹھیک رہتا ہے لیکن وہ اس سے کہہ جاتے ضرور ہیں کیونکہ وہ بے لکھے پڑھ آدمی ہیں۔ اس کے لئے پوائس کو چاہیئے کہ کچھ رعایت رکھے لیکن پوائس اس بات کی جانب ضرور دیکھے کہ وہ زمیندار لوگ چوری کرانہ ان لوگوں سے فائدہ تو حاصل نہیں کرتے ہیں لیکن اگر وہ ٹھیک کام کرتے ہیں اور اطمینان ہے تو اُن کو پوری پوری Facilities دینی چاہیئے۔ جناب ہوم میمبر صاحب سے میں ایک بات دریافت کرنا چاہتا ہوں۔ اُس کا انچارج کون ہے ؟

اُس کا خرچہ کیا ہے ؟ *

The Deputy President : -

خرچہ بجٹ میں دیا ہوا ہے *

Rao Sahib Thakur Shiva Dhyau Singh : (اگر صاحب تھا کہ شیو دھیان : سنگھ)۔

اُس کا انچارج کون ہے -

The Hon'ble the Home Member : Sir, I ought really to confine myself to the Kalyanpur Settlement, but my honourable friend Rai Bahadur Thakur Hanuman Singh has mentioned the case of Aryanagar. Some years ago Government accepted an offer from the Arya Samaj to establish a settlement at Aryanagar, and I am glad to be able to say that the settlement has been a success. I cannot say, because I have no definite information, whether the optimistic statement of my honourable friend opposite regarding the history of the inmates and the results of the experiment is justified, but I am asking my friend the Inspector General of Police to visit the Aryanagar Settlement some time during the next six months and to obtain first-hand knowledge of the work of the institution. I think that my friend was rather unduly severe on the Kalyanpur Settlement. I do not know whether he has seen it. From his silence it appears that he has not visited the place.

Rai Bahadur Thakur Hanuman Singh : I have read the reports.

The Hon'ble the Home Member : He must have been gratified to read in the reports that there is a school there. Not only so, but from this settlement and from the other settlements no less than 24 boys have been sent to receive secondary education. Before this and other settlements were established I do not remember hearing of a member of a criminal tribe reading in a high school or even in a primary institution. The honourable member wished me to give him some information regarding the number of discharges from the Kalyanpur Settlement. I have not got details of discharges from this particular institute which is the only one which is managed by

Government, but I can tell him that from all the settlements, that is to say, the Kalyanpur Settlement, the Salvation Army institutions and the Aryanagar Settlement, 296 members of criminal tribes have been discharged either conditionally or unconditionally during the last three years.

Rai Bahadur Thakur Hanuman Singh complained of restrictions in the Kalyanpur Settlement. Of course there are restrictions. These people are members of a criminal tribe, and one reason why they are in these settlements is that, in addition to being taught industries and crafts and every attempt being made to reform them, they should not have the opportunity which they previously had of committing depredations on zamindars and tenants and others. The honourable member referred to the absence of freedom in this settlement. I ask the honourable member to tell me what freedom these unfortunate members of our society enjoyed before they went to the settlement? They were looked upon with the utmost distrust. I have seen them with my own eyes, as many honourable members opposite must have seen them, living in the utmost poverty and degradation, sometimes near police thanas with nobody to befriend them and with everybody suspicious about them. That is the kind of freedom which many of them had before they went into the settlement. I fully admit that these institutions are unable to reform them to the extent that honourable members desire, that Government desire, or that the officers in charge of these settlements wish. We cannot unfortunately do half of what we should like to do, but gradually, slowly, honourable members may think all too slowly, something is being done to raise their estimation in the eyes not only of the officials by whom they are supervised but in the eyes of the public outside and above all and perhaps what is even more necessary, of themselves. My friend Thakur Shiva Dhyan Singh referred in his usual humorous way, which we enjoy in this Council, to the plight of one or more zamindars who have had the courage to employ members of criminal tribes and who found that they were treated by the police almost on the same par as these members. I was wondering all the time whether the honourable member was referring to himself, because if so, I could give him an assurance straightaway that I would ask my friend the Inspector General of Police to see that no policeman goes within the next 12 months in the village of my friend, or the villages (I hope he has many) so that he may be able to reform to the utmost extent the member or members of the criminal tribes in which he is so much interested, subject however to one condition, which is that Thakur Shiva Dhyan Singh will stand surety for the crimes of the particular criminal or criminals in villages belonging to adjacent zamindars.

Treating the matter more seriously, if there are really instances of complaints against the police, I hope that they will be brought to my attention when they will receive early and full consideration.

(During the course of the above speech the Hon'ble the President resumed the Chair at 3 p.m.)

Rai Bahadur Thakur Hanuman Singh : I wish to put two questions. The first is whether those members of the criminal tribes who go to the mills are escorted by the police or not ?

The Hon'ble the Home Member : They are sent by the officers of the settlement. Surely there is no objection to this being done? The object of their working in the mills is firstly that they should better themselves from a pecuniary standpoint, and secondly, that the owners of the mills should get to know them and to realize that not every member of a criminal tribe is to be distrusted. But one thing I may say here, viz. that if a member of a criminal tribe refuses for some good reason to go for employment to the mills he is not compelled to do so.

Rai Bahadur Thakur Hanuman Singh : Sir, my question has not been answered by the Hon'ble the Home Member. I asked him a pointed question whether the men who go to work in the mills go in the custody of police and are escorted there by the police or not?

The Hon'ble the Home Member : They do not go there in the custody of the police. An officer of the settlement accompanies them in a lorry from the settlement to the mills.

Rai Bahadur Thakur Hanuman Singh : Is it not a fact that they are sent there as prisoners ?

The Hon'ble the President : Is that the second question ?

Rai Bahadur Thakur Hanuman Singh : This is a supplementary question.

The Hon'ble the President : I am afraid that this is not the time for interpellations.

Rai Bahadur Thakur Hanuman Singh : The second question is whether the children of members of criminal tribes in the Kalyanpur settlement are compelled to attend school or not. Why is the Government not introducing compulsory education in the settlement?

The Hon'ble the Home Member : As far as my information goes, they are not compelled to go to school. As regards the second question which the honourable member put, I may say at once that a prisoner is a person who has been legally convicted in a court of law. The Haburabs who go to the mills have not been legally convicted at least recently in a court of law. Otherwise they would be in a jail and not in a settlement.

Rai Bahadur Thakur Hanuman Singh : Sir, there are many prisoners who have not been convicted.

The Hon'ble the President : Is the motion being pressed ?

Rao Sahib Thakur Shiva Dhyan Singh : No Sir.

The motion was, by leave, withdrawn.

Thakur Balwant Singh Gahlot : Sir, I beg to move that under sub-head H—Charges for reformation of criminal tribes, a reduction of Re.1 be made.

The Hon'ble the President : I should just like to draw the attention of honourable members to the fact that at 4.30 the guillotine will fall, and there are some other grants that appear on the agenda today.

Thakur Balwant Singh Gahlot : Sir, I want to know what is being done of those members of criminal tribes when they come out of a certain settlement. What I found was that in the Bijnor District, some of these people were discharged and were escorted by the police from one village to another. They were a curse to the society, because they could not live in the village, and villagers had to supply them with ration and water at the point of being molested. There was only one constable with them who was to look after them. If they were asked why they could not follow some profession, they said that they were ordered to proceed from place to place. There was a constable in charge of them who used to leave them to the care of a constable of another police station, and that constable had in his turn to leave them with an officer of another police station and so on. This state of affairs is very unsatisfactory. It creates difficulties for those villages which they visit and also for the members of the tribes.

Mr. R. A. Horton : I think the honourable member must be referring to the settlement at Najibabad which was in the Bijnor District. If that is so, I may inform him that that settlement was closed in 1928.

So far as I am aware all the tribes which have been kept there, Bhantus and Haburas, were transferred to the settlements of Kalyanpur and Kanth in the Cawnpore and Moradabad Districts respectively. I have no knowledge that any of them were permitted to wander at large as the honourable member has stated.

The Hon'ble the President : Is the honourable member talking of a period eight years ago ?

Thakur Balwant Singh Gahlot : I am talking of recent times. I do not know where they came from.

Mr. R. A. Horton : This settlement in Bijnor was closed in the year 1928.

Thakur Balwant Singh Gahlot : Will an enquiry be made as to why they are allowed to wander from place to place and from what settlement were they allowed to go ?

Mr. R. A. Horton : If the honourable member will supply me with details, I shall be most pleased to have enquiries made.

The motion was, by leave, withdrawn.

Rai Bahadur Babu Jagadeva Roy : I beg to move that under sub-head H—Charges for reformation of criminal tribes, a reduction of Rs.32,549 be made.

I do not like to repeat those points which have just been discussed, but what I would point out is that now we find that depressed classes are being encouraged by the Education Department and the rural development scheme is also in progress. So it strikes me that the sum of Rs.32,549 should be omitted under this head and if necessity arises,

[Rai Bahadur Babu Jagadeva Roy]

then attempts should be made to have money from those two departments. My object is that we should introduce separate kinds of encouragements in that locality. From that point of view I think, it would be worth while that encouragement should come from those two sides also and I therefore think that there will be no difficulty for the Hon'ble the Home Member to omit out of the total Rs.32,549. I do not want to know the details now, but at the same time I do think that the expenses which are being incurred at present, having regard to the financial stringency and having regard to the population of the settlements concerned, are high and can be curtailed very easily.

The Hon'ble the Home Member : I am not quite sure what the honourable member wants. He is proposing a very large cut of Rs.32,549. If this cut is carried in the Council, it means that we shall have to close the criminal settlements and I am perfectly sure that other honourable members of this House will disagree with him about this. I understand, however, that the real object of his motion is that we should do even more than what we are now doing for the members of the criminal tribes. Is that so?

Rai Bahadur Babu Jagadeva Roy : Yes from one point of view.

The Hon'ble the Home Member : I shall take that to be the sole point of view.

I have already in my remarks on Kalyanpur referred to the attempts that we are making there to care for the inmates and to improve their lot and that of their children. As the honourable member has referred to the settlements as a whole, I should like very briefly to tell him what is being done in the other settlements. Let me, for instance, refer to the Salvation Army settlements of which there are five in all. In these settlements industries are taught to the inmates, including weaving, needle-work, durrie-making and the making of *munj* mats. The average earnings per worker in the Salvation Army settlements are Rs.7 to Rs.8 a month. At Aryanagar, agriculture and durrie-making are the principal occupations, although some of the inmates find employment in the sugar mills in Lucknow. They earn altogether about Rs.8 per month. The last two police reports of the Inspector General of Police refer briefly to the work done among criminal tribes, and I would respectfully draw the attention of the honourable member to the general remarks made by the Inspector General as well as the detailed information given in the annual reports on the working of these settlements. They will show that although the attempts to reform them are not so satisfactory as we would like them to be, some progress is being made. Each of these institutions has a school where young people are taught. I have already referred to the number of discharges, namely 296, in the last three years. Then there is a school at Bura in the Cawnpore District where boys and girls are being taught on the lines of the education given in the primary schools managed by district boards, while at the Kalyanpur Settlement, to which Rai Bahadur Thakur Hanuman Singh has referred, there is a school managed by the district board. I hope that the honourable member, who I know is

interested in criminal settlements, will continue to maintain his interest in them and perhaps at some later date, if he has the time, pay a visit to one or more of them.

The motion was, by leave, withdrawn.

Thakur Giriraj Singh : I beg to move that under the entire head, a reduction of Re.1 be made.

I shall try my best not to repeat the points which have already been discussed. The first point I wish to refer to is the way in which the relatives are allowed to see the prisoners in jails. In the Azamgarh District Jail when relatives give applications to see their kith and kin in the jails, they are told that they could see them only on Sundays, and even then they are not allowed to go in, but are made to sit at the gate of the jail. Those prisoners remain inside the gate and the windows are opened and the relatives are allowed to talk with them.

The Hon'ble the Home Member : Is the honourable member referring to any particular jail, viz., Azamgarh Jail?

Thakur Giriraj Singh : Yes, Sir.

This procedure of seeing relatives may be acceptable to those who are ordinary class prisoners, but those who belong to a respectable class will never like to see their relatives in that manner.

The second point is that we find on page 23 of the Jail Administration report of 1934 "there were several cases of defalcation and shortages in grain storage" and for that the punishment given by the Department was that the jailors concerned were reduced to the post of Deputy Jailors and that officials concerned in the shortages of grain were suitably dealt with. It is not mentioned in the report whether the clerks were reduced or dismissed. In my opinion if the defalcation was really proved and the jailor of that jail was at fault . . .

The Hon'ble the Home Member : May I ask the honourable member to let me know the jail in which the defalcation took place—where and when?

Thakur Giriraj Singh : I refer to page 23 of the Prison Administration report which has been supplied to us. It is about the Central Jail of Fatehgarh.

The third point is about the supply of *chadars* which had been suggested by most of the honourable members the year before last. If we look at the speeches of the predecessor of the present Home Member we will see that very many new things were given to the prisoners. For example, in place of two blankets three blankets were supplied to prisoners in those places which are near the hills. My submission is that under the regime of our present Home Member at least one *chadar* be supplied to all the prisoners in the summer months to keep off mosquitoes. Several prisoners have told me that sometimes mosquitoes trouble them so much that they cannot pass good nights and have to remain awake for two or three hours, especially when they

[Thakur Giriraj Sihgh]

first go to jail, they suffer a lot. The supply of *chadars* will cost only Rs.12,000.

The fourth point is about the restriction imposed on prisoners about sending letters to or receiving letters from their relatives. At present the rule is that every prisoner can send a letter once in three months and his relatives can see him once in three months. This restriction is in the case of "C" class prisoners. "B" class prisoners are allowed to see their relatives once a month and can also write and receive letters once a month. As regards *chadars*, the argument may be advanced that there is no money. But as regards interviews and sending and receiving of letters I do not know what objection the Government has. As regards interviews the Government has to spend nothing.

As regards sending letters, suppose a relative wants to send a letter to one in jail, and he sends a reply paid letter, then if the prisoner writes in reply about his condition of health, etc., Government will not have to spend anything over it. My submission is that every prisoner should be allowed to send one letter in one month, and he should also be allowed to have one interview with his relatives once a month. If this is found in any way objectionable, then he should be allowed one letter and one interview in two months.

The fifth point is if we see the Report on the jail administration on page 11, we would find that increased mortality is due to heat-stroke. This is a thing which I cannot understand. If these deaths occurred, the jail authorities were responsible for them. From the report it is clear no doubt that those who came out of the jail had good health, and therefore some improvement has been made in this direction.

The sixth point, which I would like to submit, and which has been suggested by other honourable members also the year before last that the labour taken by the prisoners in oil pressing machines should be abolished, because that labour looks very inhuman. Prisoners have to work like a pair of bullocks.

The seventh point which I beg to submit is about the flogging of prisoners. The Hon'ble the Home Member has said in his speech that the number of such punishments has been decreased, but I submit that the punishment of flogging should be abolished altogether, because it is inhuman.

With these words I commend these points for the consideration of the House.

Mr. C. Y. Chintamani : Sir, may I, under this motion, bring up some other matters ?

The Hon'ble the President : Yes.

*Mr. C. Y. Chintamani : I heard with great pleasure the interesting speech made by the Hon'ble the Home Member in presenting this demand earlier in the day. I offer to him my hearty congratulations not merely upon the eloquence of his speech, but upon the satisfactory and encouraging account which he was able to give of conditions in

*The honourable member has not revised his speech.

general, and more important still of his own attitude and the attitude of the Inspector General of Prisons towards the demands of the public in respect of reforms in administration. I am glad to find in front of me my friend, Major Salamat Ullah, as the Inspector General of Prisons. I knew him as Superintendent of the Central Jail at Naini. I had the pleasure of seeing that institution when he was Superintendent and I came away deeply impressed by the amount of good work that the Superintendent could do, if he were so inclined, by way of minimising grievances and making conditions of life at least tolerable to the unfortunate men in prison. I am quite confident that such an Inspector General and such a Home Member would not be wanting the zeal for reform on the part of those responsible, wherever a case is made out for a change in the present conditions. I sympathized with the Home Member when he pleaded financial stringency as the reason why so many desirable reforms urged by the Indian Jails Committee and the Louis Stuart Committee for these provinces could not be carried into effect. My sympathy, however, was not with the Government of which he is a member, it was personal to him. The Government of which he is a member deserves no manner of sympathy from us. It finds money in abundance for any kind of wasteful expenditure upon which it sets its heart, but its economic conscience is only aroused when something useful urged from our side has got to be done. I do not know how much time will be taken by the Government in the introduction of the reforms recommended by official committees themselves. I dare say this Government will escape castigation altogether, because I suppose this is about the last budget it presents to the Council.

I will just state a few points which I have noted when the Home Member was making his speech. On a previous occasion I referred to the system by which the appointment of superintendents of jails is regulated. Superintendents are selected from among medical officers, whether they are for district jails or central jails. Now, Sir, the qualification that is chiefly required in a superintendent of jail is administrative capacity, combined with humanitarian considerations. Medical officers are quite in their element if they have to deal with diseases. There are some medical officers in charge of jails, such for instance as my friend opposite, who have been eminent success although they have been medical men all their lives and not specialized in administrative work. But I think it is wrong in principle that a superintendent of jail as distinguished from a medical officer of jail should always be a medical officer. The Government should have perfect freedom to select for the office of superintendent either a medical officer or an administrative officer, according as circumstances may suggest. I do not expect the Hon'ble the Home Member to say "yes" or "no" to my suggestion. That would be unreasonable. But I would ask him to note this point in order that consideration may be bestowed upon it.

The next point relates to flogging of prisoners. When he was making his statement and was expressing a sense of satisfaction at the

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reduction in the number of cases of flogging in jails, I interposed an inquiry whether that could not be stopped altogether. He said opinion was divided amongst superintendents, or that superintendents were opposed to abolition of flogging. They said that power must be reserved, although it should be used very sparingly. In my opinion, Mr. President, unless an offence committed is a natural offence, there should not be punishment of flogging at all. It is degrading to a man who inflicts it and also to a man who receives it. I do not think the ingenuity of prison officers is so limited that they cannot think of some punishment less objectionable than this as a part of jail discipline. If it is a part of the regulations incorporated in the Jail Manual that this punishment for breach of discipline in jails is inflicted, I would seriously ask the Home Member to signalise his term of office by putting an end to it.

The Hon'ble the Home Member said weekly and semi-weekly papers are allowed to "A" class prisoners. I should like to know why it should be "weekly" or "semi-weekly", but not daily. The late Home Member urged financial considerations as the reason why Government could not supply any daily papers to any class of prisoners. There are a number of prisoners who would be quite willing to pay provided they are allowed daily papers. Supposing Government urge political considerations. Political considerations might also apply to weekly and semi-weekly papers just as to daily papers. It is the nature of politics of the newspapers, and not the number of times they are published which must be the criterion. I think here again the Government, without stretching a single point in favour of anybody, might agree to supply daily papers to that class of prisoners which is allowed weekly or semi-weekly papers at present, if necessary by payment by prisoners themselves.

A number of times in this Council the question was brought up of religious ministrations to prisoners in jails. If the object of imprisonment is not merely to impose punishment, but also to reform character; if it is not merely to inflict physical trouble upon the men sentenced to jail, but also to send them out of jail as better men, men in a position to be able to earn an honest livelihood, then I submit that the Government without interfering with a single prisoner's religious faith or conviction would provide without much difficulty, religious ministrations to those prisoners who want that kind of assistance.

The subject of jail manufacture has been brought to the fore in the course of this afternoon. I have all along felt that the local Government have not done a fraction of what they could have done for the development of manufactures inside jails. I have seen prisoners, like the Hon'ble the Home Member himself, as a visitor not only in these provinces but outside, and my feeling is that in the States of Baroda and Bikaner and in the Presidency of Madras—the Hon'ble the Finance Member is not here to hear Madras mentioned once more—more is done to encourage the manufacture of industries than is done in the United Provinces. Just this year I have read in this very budget of a reduction proposed on account of manufacture of tents

in jails as a measure of economy. This question came up more than once. This Government used to purchase tents from the Elgin Mills of Cawnpore. They went so far, in the exercise of patronage, as to insert a rule in the Manual of Government Orders that tents required for official purposes shall not be purchased from anywhere else except from the Elgin Mills at Cawnpore. It took years of agitation to get that rule modified. Then some years ago finding that in the jail in Farrukhabad a speciality was made in the manufacture of tents, the question was raised why Government should at all purchase tents from outside, and why this industry should not be developed in other jails as well. I was told in the beginning that the quality of tents made in the Government jail was entirely unsatisfactory, and that officers declined to have them, and that, therefore, it was decided to purchase them from the Elgin Mills. I pitied the Government which had to make such an admission. If tents could be made, surely tents of good quality could be manufactured just as well as of low quality. For this only a certain amount of attention was required.

There are a number of manufacturing industries for which the United Provinces offer most suitable and favourable opportunity, which could be worked in jails, and which could be developed, and the men who are taught those manufactures inside jails would, when they go out of jail, have some means of earning their livelihood thereafter. I have pleaded more than once inside this House for closer co-operation between the Jails Department and the Industries Department but, I fear, so far as practical results go, I have pleaded in vain, not in this matter alone but as in every other matter. Now that there are two such men as the present Home Member and the present Inspector General of Prisons as the head of the Jail Department, I would earnestly ask them to give their attention to this most important and useful subject and to see how much more can be done in the matter of developing the jail manufactures with the co-operation of the Industries Department.

I would like to hear from the Hon'ble the Home Member whether every trace of racial discrimination has been removed in the matter of, for example, the hot weather facilities in the jails; or whether it still prevails in these provinces, and whether Indian prisoners are still compelled by the jail authorities to pull *punkhas* for European prisoners. Is there still a practice that electric fans and other facilities are provided for European prisoners, whereas they are not provided for Indian prisoners? Does it continue to be a fact that European prisoners, even if convicted of offences involving moral turpitude, are treated with greater consideration and are allowed more comforts in jails than the Indian prisoners who might have gone to jail without a stain on their character? I want to know from the Hon'ble the Home Member whether this distinction still remains and, if so, what does he propose to do for its eradication?

Next, Sir, I come to the classification of prisoners as A, B and C. The Hon'ble the Home Member has told us this morning, as he did before, that this classification is based on the social standing of the prisoner and the offence of which he is convicted. I submit, Sir,

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that while it is quite right that some regard should be paid to the social standing of the prisoner, this should only be a minor consideration and the offence of which he is convicted is really of much more importance in the matter of his classification. Suppose a rich man accustomed to a luxurious type of living was convicted of a serious and heinous offence which involved moral turpitude; and suppose a poor man who was convicted of an offence which merely involved the making of an indiscriminate speech, but otherwise was of an excellent character, did not have the good fortune of being an aristocrat. Should this poor man be denied all the facilities which a man of high social standing is given because of his material possessions? Suppose two men were sentenced for the identical offence and were awarded the identical term of imprisonment: Suppose they were convicted of the offence of attending a meeting which the Government in their wisdom proclaimed to be an unlawful one; suppose there was not a particle of difference between the conduct of the two men; yet if one man had more income than the other, or was spending more on himself than the other, would he receive greater consideration inside the jail than the other man? I would ask the Hon'ble the Home Member what justification there is for such different treatment. There is something radically wrong with the classification of prisoners, and I will request the Hon'ble the Home Member to reconsider the whole matter.

Lastly, I would ask him to furnish information with regard to the present condition of Jogesh Chandra Chatterji about whose hunger-strike the whole country has been agitating so long. I remember the statement which the Hon'ble the Home Member made with regard to the questions which were put inside the House. I would like to know what has happened since and whether there is any truth in the information which I have received this afternoon that another prisoner has started a hunger-strike in sympathy. I raise this point in order to get the latest detailed information from the Home Member and the Inspector General of Prisons.

I will conclude by congratulating the Hon'ble the Home Member and the Inspector General of Prisons once more for their efforts in carrying out reforms in the Jail Department and by expressing the hope that they will take into consideration, early and seriously, the points which I have ventured to bring to their notice.

Khan Bahadur Maulvi Fasih-ud-din: Sir, for want of time I will speak very briefly in the laconic style of a professor of mathematics. Firstly I propose that the undertrial prisoners and those prisoners whose appeals are pending before the higher courts should invariably be kept separate in the prisons.

A voice: They are.

Khan Bahadur Maulvi Fasih-ud-din: No, in some jails they are not kept separate, especially those prisoners who have been convicted and whose appeals lie before the higher courts. They are not separately kept and in some jails in which the accommodation is limited they are mixed up with the ordinary prisoners.

Secondly, I agree with the preceding speaker that religious instruction should be given on a much more larger scale than what is being given now.

Thirdly, I submit, Sir, that the prisoners should be allowed to have their own clothes, if they can afford to have them, not very decent clothes but the ordinary wearing apparel, if they want to use them and not the jacket and the coat which of course is a mark of very great disgrace, especially when they are taken out and when they work in gardens and on the roads.

Another point that I have to make is that the building of some of the prisons is very small and for that reason prisoners are constantly shifted to other jails when the number increases. The Naini Tal Jail is an example of this kind and we find that almost in every week the prisoners of the Naini Tal Jail are being shifted to other prisons. These buildings ought to be extended at once in order to avoid the shifting of the prisoners from one jail to another jail.

Rai Govind Chandra : Sir, may I put a question to the Hon'ble the Home Member ? May I know from the Hon'ble the Home Member as to what is the psychological treatment which is being given by these I.M.S. officers in jails and how far the jails have been performing the functions of psychological reformatories ?

The Hon'ble the Home Member : At the outset, Sir, I should like to thank my honourable friend the Leader of the Opposition for his very kindly remarks about myself and about the Inspector General of Prisons. I need hardly say that we are extremely grateful. I have known Mr. Chintamani for a long time. We were colleagues in the Council of the pre-Reform days. I do not know whether he is going to stand for the general elections next year.

Mr. Brijnandan Lal : He must.

The Hon'ble the Home Member : I am glad to hear that. I may perhaps take the House into my confidence and say that for the first time in my long career, which has been almost entirely official, I am also thinking of standing for election. Whether I shall get in or not I cannot say. But, if by any chance fortune favours me, I hope that Mr. Chintamani and I may be colleagues in a third Legislative Council.

Now let me briefly refer to the points which he has raised. The first was the appointment of Superintendents of Jails. He was good enough to tell me that I need not give a definite answer. As a matter of fact so far as central jails are concerned the question at the present time is academic. There are six such jails, five of which are held under the orders of the Government of India by I.M.S. officers while one is in the charge of a non-I.M.S. officer, who happens however to be a medical officer. I think that the main reason why jails have been placed under medical officers has been that in the past I.M.S. Civil Surgeons were posted to the various districts and as a measure of economy

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they were placed in charge of the local prisons. If that arrangement was reversed, there would undoubtedly be extra expense and I think it possible that this fact has weighed with Government. What will happen when the sixth non-I.M.S. Superintendent of Jail retires I cannot say, but Government will bear in mind more than that I cannot say—the suggestion made by my honourable friend, the Leader of the Opposition.

The flogging of prisoners is not a very easy question. Nobody likes the flogging of any man, but as I stated in my opening speech, the number of whippings in jails has decreased greatly during the last 30 years. In 1906 there were no less than 91 prisoners who were flogged. During the last three years that number decreased to fifteen. This punishment therefore, is now very sparingly given. Even my honourable friend, the Leader of the Opposition, does not deny that occasionally it may be necessary and instanced the case of a person who committed an unnatural offence. Generally speaking, Sir, this punishment, is now only awarded in the case of persons guilty of assaults. Honourable members must remember that jail officials in the face of a large number of convicts are at times in a somewhat precarious position and it is really as a kind of protection to persons engaged in a very difficult task that convicts are made to feel that if they inflict physical pain on a jail official or visitor, they will be liable to receive corporal punishment. I may also inform honourable members that in England, although that country has greatly advanced in regard to the more humane treatment of prisoners, flogging is still inflicted for offences of the kind described by me.

Mr. Chintamani requested that a daily paper in place of a weekly or a bi-weekly paper should be supplied to B class prisoners. I may tell him at once that this question is under my consideration and I hope before very long to announce the decision of Government. The orders for the supply of a weekly paper were given by the Government of India. Since then a bi-weekly newspaper has been supplied to certain prisoners, and I shall give full consideration to the question of a further concession.

Then there is the subject of religious ministrations. I understand from the Inspector General of Prisons that in case suitable religious instructors are forthcoming there is no objection under the Jail Regulations to their being allowed to give religious ministrations to prisoners within the precincts of prisons. In fact he tells me that in the Naini Jail, when he was Superintendent, Hindu and Christian instructors were allowed to give religious teaching inside the Naini Jail.

Khan Bahadur Maulvi Fasih-ud-din : Why not a Muslim ?

Chaudhri Muhammad Ali : Was not there a Maulvi convict ?

The Hon'ble the Home Member : I do not know.

As regards giving an impetus to jail manufactures, I dwell on this point when my honourable friend was not present in the House. I understand that there is co-operation between the Jails and the Industries Department. For instance, officers of the Industries

Department give advice to officers of the Jail Department in technical matters and arrangements have been made for the sale of jail products at the Arts and Crafts Emporium managed by the Industries Department. Further, as I stated in another speech, the Inspector General of Prisons, a short time ago, entered into correspondence with the Stores Purchase Officer as well as the Director of Industries with a view to increase the contact between the two departments and to give an impetus to jail manufactures.

Mr. Chintamani also asked me in effect the following question : Is there any racial discrimination between European and Indian prisoners in our jails ? So far as A and B class prisoners are concerned I think that I can answer that question and say that so far as I am aware there is no such discrimination. Take for instance the question of convicts in hill stations where there is a more equable climate. The majority of A class or B class convicts who are in jails situated in the hills are Indians. The great majority of European convicts are in the plains. The food supplied to A or B class prisoners is identical with that given to European prisoners, subject to one difference, viz., that Europeans are accustomed to a particular form of diet, while Indian prisoners naturally prefer Indian food such as *dal*, *chapatis*, etc. If an A or B class Indian prisoner wishes to have the same food as a European prisoner he is at liberty to ask for it and get it.

Then there is the question of the classification of prisoners. My friend inquired whether we make any difference between a man in poor circumstances who has been sentenced for a particular offence and a well-to-do person convicted under the same section of the Indian Penal Code. According to him the humblest citizen should be treated in the jail on the same lines, so far as amenities go, as a rich man. My answer is this. The punishment so far as years in jail go may be exactly the same. But surely from one and a very important point of view the punishment suffered by a rich man undergoing a sentence of imprisonment is relatively more severe than that suffered by a poor man. Let me take a concrete example. When a cultivator, humble, poor, accustomed to a relatively low standard of living, to a poor quality of food, to very little bedding and to all the other accompaniments of poverty, goes to jail he gets sometimes better food than he received at his home. His clothes are no worse and his bedding is often better. How differently circumstanced is a well-to-do man, let us say one of ourselves. If we went to jail, the disgrace and suffering resulting from imprisonment will be far greater than in the case of a poor man. Our whole manner of life and our circumstances have been such as to make the punishment meted out to us not identical with that of a poor man, but far more difficult to bear. I think that a better distinction is that which we have at present. Under the existing rule a person who is accustomed to a superior mode of living outside the jail gets and should get in respect of food, clothing and certain other amenities better treatment than the prisoner who, outside a jail, is accustomed to a low standard of living.

[The Hon'ble the Home Member]

Mr. Chintamani enquired about the case of Jogesh Chatterji. The House already knows that this prisoner has abandoned his hunger-strike unconditionally. In reply to a question put by my honourable friend Mr. Brijnandan Lal, I said that Government would consider his representation. This we are doing at the present moment and directly the session of this Council is over I shall address the Inspector General of Prisons and ask him for his opinion on certain points. One of the questions which will be referred to him is the supply of a daily paper. I would like to say in this connexion that Jogesh Chatterji has been on hunger-strike on no less than five previous occasions. Of one thing I am certain, viz. that no honourable member of this House will agree to Government sanctioning, or even considering, a concession while a prisoner is on hunger-strike. To do so would be subversive of all jail discipline.

Khan Bahadur Maulvi Fasih-ud-din : What was the period of his last hunger-strike ?

The Hon'ble the Home Member : Over three months.

Recently we had another hunger-striker who, like Jogesh Chatterji, refused food on a so-called point of principle. The principle was this. He had been transported for life and had served five years in jail. He came to the conclusion that as a matter of principle no convict should serve more than five years' imprisonment. He remained on hunger-strike for a period of over 19 months. I am glad to say that he has recently abandoned it. Then I understand there is another prisoner who has determined to continue on hunger-strike so long as he is not allowed to cook his own food. Honourable members will realize that if Government make a concession to one hunger-striker or consider his representation when he is on hunger-strike, they may be forced to do so in a number of cases. I am glad to inform my friend Mr. Chintamani that the prisoner, R. C. Gupta, to whom he referred as having started a sympathetic hunger-strike has recently abandoned it.

My friend Thakur Girraj Singh complained of interviews with prisoners in the Azamgarh prison being given outside the precincts of the jail. I may tell him at once that I have asked the Inspector General in deference to the honourable member's request, to see that in future such interviews are granted inside the jail. The other points raised by the honourable member will be answered by my friend the Inspector General of Prisons.

I agree with Khan Bahadur Maulvi Fasih-ud-din when he states that some of our jail buildings are in poor condition. It is unfortunately a correct statement. The difficulty is one of funds. If we had more money we would be able to make further improvements in jail buildings. He rightly states that "C" class prisoners are not allowed to have their own clothes. I do not personally know of any country, and I have travelled in many, in which ordinary prisoners are allowed to have their own clothes. Hence we allow them to have their own clothes we will be logically compelled to give to them the food

which they want, their own bedding and other perquisites. There are, however, certain prisoners—civil prisoners as well as those belonging to “A” class—who are allowed to have their own clothes. He also stated that casuals and habituals were not separated. He is right in this statement up to a certain point. There is no complete separation of casual from habitual prisoners. The ideal to be worked up to is the one advocated by him that there should be absolute separation between these two classes. That can only be effected when there are different jails for casuals and habituals. So far we have worked up to this ideal only in the case of juveniles. As far as adult prisoners are concerned, they are separated at night and so far as possible during the day. The time, however, will come—it may be after many years—when we shall have separate jails for casuals and habituals.

My friend Mr. Govind Chandra has asked whether medical superintendents of jails gave psychological treatment. Well, Sir, I have a feeling that he put this question in a half-humorous manner. I have great admiration for our superintendents of jails as a whole, but I do not believe that they possess this cryptic and I think at times somewhat dangerous art. I think that from some points of view they may be better without it, though no doubt the Inspector General of Prisons will give to the honourable member's suggestion the consideration that it deserves.

In conclusion I should like to thank the Council very much for their very kindly attitude to myself and my friend on my left during the whole of this debate on jails.

Mr. Brijnandan Lal : I must join my Leader in congratulating the Hon'ble the Home Member on his very encouraging opening speech and his distinguished predecessor on the selection that he has made in appointing Major Salamat Ullah as Inspector General of Prisons. Major Salamat Ullah is one of the most popular officers in these provinces. I am glad that the discussion of the Jails demand has enabled the Hon'ble the Home Member to give expression to the general desire not only of this House, but of the whole province that Mr. Chintamani must come back to this Council. He is one of the best debaters in India, and the House cannot afford to lose him.

The point that I wanted to raise under a separate cut will, I am afraid, have to be discussed under this head, as there is no time left. It sometimes happens that sessions judges and magistrates deliver judgments in criminal cases just before rising at about 4 p.m. and even if appeals are filed immediately and bail is granted without any delay by the judges which is invariably done in bailable cases and other deserving cases, it becomes dark before the necessary papers and bail bonds are completed and an order of release pending the decision of appeal obtained. The Jail authorities refuse to release the prisoners after sunset in spite of the order of the appellate court. That is very hard, specially on the respectable accused, because they have to stay in jail at night. In Chapter II, para. 10, of the Jail Manual, it is stated that all convicted prisoners shall be admitted irrespective

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of the time at which they arrive in prison. So far as the admission of convicts to jails is concerned, they are admitted at all times, but it is surprising that when it comes to release they will not be released in spite of the order of the court. Undertrial prisoners are not admitted when the jail has been locked up at night without the written order of the magistrate. If there is a written order of the magistrate, undertrial prisoners are admitted, but they are not released in spite of the orders of the appellate authorities after sunset. When the courts deliver judgments at 4 o'clock it does not take more than an hour or two to complete all the papers, and the orders reach the jail at about 7 o'clock. It never happens that they are taken after 8 or 9, so that if an exception is made in a few cases like this, I think much of the hardship will be avoided, and I hope that the Hon'ble the Home Member and Major Salamat Ullah will make an alteration in the Jail Manual, if it is necessary, or issue instructions to the jail authorities to release prisoners even if the orders are passed by the appellate courts late in the evening.

Thakur Muneshwar Bakhsh Singh : I wish to place only one point for the consideration of the Hon'ble the Home Member. Executions of condemned prisoners are at present confined in certain special jails and not in all jails. So as a matter of fact when the sentence of death has been passed on a prisoner he is sent to one of those special jails as early as possible. When near relatives of such prisoner come to know that a certain person has been sentenced to death, they run to the jail to have an interview with him. But when they go there, they find that the prisoner has been transferred to some other jail. It sometimes happens that the relations being very poor cannot bear expenses of long journey and are deprived of the last interview with the condemned prisoner. So I think there ought to be some money at the disposal of the superintendents of jails, say Rs.50 each, so that in such hard cases the relatives may be given fares to go and see the prisoners.

Rai Govind Chandra : Sir, I would like to know whether.....

The Hon'ble the President : The honourable member has exhausted his right of speech. He may put a question if he likes. It is psychologically wrong for him to make a speech now.

Thakur Ghriraj Singh : Sir, I beg to submit that replies have not yet been given to some of the points raised by me and other members.

The Hon'ble the Home Member : Sir, I accept the suggestion made by my honourable friend, Mr. Brijnandan Lal, that some exceptions should be made in the case of orders coming from magistrates or judges after sunset. I think that it should be possible to accommodate him in this matter in exceptional cases. I shall ask the Inspector General to see that this request of Mr. Brijnandan Lal is met as far as possible.

I am also willing to accept the suggestion made by Thakur Muneshwar Bakhsh Singh, viz. that in exceptional cases, for instance, where the relations of the condemned man are unable to visit him on account of poverty, funds should be provided for enabling them to see the prisoner.

The motion was, by leave, withdrawn.

Major H. M. Salamat Ullah : Sir, I want to reply to some of the points raised by honourable members.

The Hon'ble the President : Major Salamat Ullah has no right of a second speech now.

Major H. M. Salamat Ullah : Sir, I have not spoken at all.

The Hon'ble the President : But the Hon'ble the Home Member has given his final reply, and he should have spoken earlier. If, however, he wants to give some information, I do not mind and he can do so.

Major H. M. Salamat Ullah : Sir, there are certain points which have been raised.

The Hon'ble the President : I cannot allow the honourable member to make a speech. He can give certain information only. Say you want to give some information, do not reply to the speeches of the honourable members.

Major H. M. Salamat Ullah : Sir, will you kindly allow me to thank the House for what they have said about me?

The Hon'ble the President : Yes.

Major H. M. Salamat Ullah : Sir, I am much obliged to the House for the very nice and pleasant words in which they have expressed their appreciation of whatever little work I have been able to do. It is about a fortnight ago that by mistake certain economies were shown against the head "Jails" in the way of a cheaper diet and there was a roar of opposition from the honourable members of this House that they did not want any reduction whereby cheaper diet might be supplied to the prisoners. I am extremely obliged to them for the solicitude which they have shown for my budget. I know that I can depend on their good-will and co-operation in the administration of jails which even in better times is by no means a bed of roses. . . .

The Hon'ble the President : I am afraid I cannot allow the honourable member to speak any more. The honourable member wanted to thank the House and he has done so. It is 4.30 p.m. and so the question is that for the Jails Department a sum of Rs.29,69,544 be granted.

The question was put and agreed to.

RESULT OF ELECTION TO THE FINANCE COMMITTEE, 1936-37

The Hon'ble the President : The result of the election held to-day for the Finance Committee is as follows:

Thakur Balwant Singh Gahlot, Mr. C. Y. Chintamani, Mr. Perma, Rai Sahib Rai Rajeshwari Prasad, Khan Sahib Muhammad Intiaz Ahmad, Rai Sahib Babu Kamta Nath Saksena, Rai Bahadur Sahu Jwala Saran Kothiwalla, and Khan Sahib Haji Shaikh Muhammad Rashid-ud-din Ahmad have been elected.

(The Council then adjourned at 4.30 p.m. till the following day.)

APPENDIX A
(See page 3 *supra*)
Statement referred to in the answer to part (f) of starred Council question no. 1 for the Council meeting of 16th March, 1936, asked by BABU RAM BAHADUR SAKSENA SAHIB.

Name of municipality	Name of lady member	Her profession	Her educational qualifications	Whether married, unmarried or widow	The name of her husband, if she be married or a widow	Whether she observes pardah or not
Dehra ..	Mrs. Chaudhary	Retired Lady Principal	Knows English and Hindi.	Widow ..	Dr. Raj Chandra Chaudhary.	Does not observe pardah.
Mussoorie ..	No election held this year.	..	..	..	..	..
Gahavampur ..	Musammat Maqbool Sultan.	Medical Practitioner	Diploma holder of Tibbia College, Delhi.	Married ..	Dr. M. Chulam Abbas.	Wears burqa but attends meetings.
Hardwar Union ..	Dr. Vidya Vati Goel	Lady Doctor	L. S. M. F.	Widow ..	Mr. Vishamber Sahai Goel.	Does not observe pardah.
Deoband ..	Musammat Sultan Jahan Begum.	Zamindari	Knows Urdu	Married ..	S. Wahid Ali	Wears burqa but attends meetings.
Roonkee ..	Mrs. Puri	Nil	Educated in Convent, Chandranagar.	Do. ..	Mr. B. D. Puri	Does not observe pardah.
Muzaffarnagar ..	Miss V. A. Khan	Head Mistress	B.A., B.T.	Unmarried	..	Ditto.
Kabana ..	Musammat Anwari Begum.	Zamindari	Knows Urdu	Married ..	Hakim Azim Uddin	Attends meetings in burqa.
Baraut ..	Mrs. Hyder Ali	Missionary	S. V. Punjab	Do. ..	Rev. A. Hyder Ali	Does not observe pardah.
Meerut ..	Dr. Mrs. Tandon	Lady Doctor	M.B., B.S.	Married ..	Captain K. N. Tandon.	Ditto.

Ghaziabad ..	Mrs. Krishna Kumari]	Nil ..	..	Knows English, Hindi/Urdu, Bengali and Assamese.	Do. ..	Mr. S. N. Saxena ..	Ditto.
Hapur ..	Superseded ..	..	..	..	..	..	..
Bulandshahr ..	Mrs. Simon ..	Teacher	..	Normal School Examination.	Married ..	Mr. G. M. Simon ..	Does not observe pardah.
Khurja ..	Superseded ..	..	..	..	..	..	..
Shikandrabad ..	Mrs. S. Massey ..	Service	..	Read up to Middle standard.	Widow ..	Rev. K. Massey ..	Does not observe pardah.
Koili (Aligarh)	Mrs. M. M. Sharif ..	Nil ..	..	Knows oriental languages and English.	Married ..	Mr. M. M. Sharif ..	Ditto.
Hathras ..	Miss H. M. Forbes ..	Retired missionary	..	Ordinary English women's education.	Unmarried	..	Ditto.
Atrauli ..	Bibi Aisha Khatun	Superintendent, Girls' School, Atrauli.	..	Knows Urdu and Persian.	Married ..	Mr. Abdul Ghafoor Khan.	Attends meetings in <i>burga</i> .
Sikandra Rao	Mrs. Habiba Rasul	Nil ..	..	Knows Urdu, Bengali and English.	Do. ..	Mr. W. Rasul ..	Does not observe pardah.
Muttra ..	Dr. A. A. Walters	Medical Practitioner	..	Under graduate and a diplomate of the Calcutta Medical College.	Unmarried	..	Ditto.
Brindaban ..	Ram Devi ..	Nil ..	..	Knows Hindi and Vernacular.	Widow ..	Pandit Ganga Ram	Does not observe pardah.
Agra ..	Miss G. R. Olive ..	Principal, Prem Vidyalaya Girls' High School, Dayal bagh, Agra.	..	M.A., L.T. ..	Unmarried	..	Ditto.

APPENDIX A—(continued)

Name of municipality	Name of lady member	Her profession	Her educational qualification	Whether married, unmarried or widow	The name of her husband, if she be married or a widow	Whether she observes pardah or not
Ferozabad ..	Mrs. Chandrawati Dad.	Lady Compounder	Read up to 8th standard.	Married ..	Mr. William Das ..	Does not observe pardah.
Masulpur ..	Musammât Bilgis Begum.	Nil ..	Knows Urdu and can sign only in English.	Do. ..	Khan Bahadur Munshi Hadiyar Khan.	Observes pardah and comes out in <i>burqa</i> .
Etah ..	Mrs. Paul ..	Governess to Children of Mr. Har-nath Singh Chauhan, Deputy Collector.	Intermediate plucked.	Widow ..	Mr. H. M. Paul ..	Does not observe pardah.
Soron ..	Musammât Munawwar Begum.	Nil ..	She can sign her name only in Urdu.	Married ..	M. Abdul Aziz Khan	Observes pardah and attends meetings in <i>burqa</i> .
Kasganj ..	Musammât Anwari Begum.	Nil ..	Knows Urdu well ..	Do. ..	Maulvi Abdul Khalil Khan.	Ditto.
Jalgaon ..	Musammât Kulsoom Begum.	Zamindari ..	Knows Urdu and can read Quran.	Do. ..	M. Muhammad Ata Husain.	Observes pardah and comes out in <i>burqa</i> .
Bareilly ..	Mrs. Morton ..	Medical Practitioner	Well educated ..	Do. ..	Mr. C. Morton ..	Does not observe pardah.
Bijnor ..	Musammât Baharwar Banu.	Zamindari ..	Knows Urdu ..	Do. ..	Khan Bahadur Mir Sajjad Husain.	Attends meetings in <i>burqa</i> .
Chandpur ..	Musammât Ruqia Begum.	Nil ..	Do. ..	Do. ..	M. Muhammad Husain.	Ditto.

Dhampur ..	Srimati Sarup Devi	Teacher	..	Vernacular middle and trained teacher.	Do. ..	Phul Singh	..	Does not observe pardah.
Nagina ..	Musammât Shahr Banu.	Private teaching of girls.	..	Knows Urdu	Do. ..	Saiyid Abdul Rahman.	..	Attends meetings in <i>burqa</i> .
Najibabad ..	Superseded	..	..	..	..	..	..	..
Budaun ..	Mrs. Tahar Uddin	Medical Practitioner	..	L. M. P.	Married ..	Mr. Taharuddin	..	Does not observe pardah.
Ujhani ..	Musammât Champa Kuer.	Zamindari	..	Read Hindi up to IV standard.	Widow ..	Chambo Cheda Lal.	..	Ditto.
Sahaswan ..	Musammât Nazir Jan.	Service	..	Knows Urdu	Married ..	M. Abdul Ahad	..	Ditto.
Moradabad ..	Begum Shahid Husain.	Zamindari	..	Read up to Intermediate standard.	Do. ..	M. Shahid Husain.	..	Ditto.
Chandausi ..	Shrimati Dhanvati Devi.	Nil ..	..	Knows Hindi, Urdu and Sanskrit.	Do. ..	Lala Bidhi Chand	..	Does not observe pardah.
Amroha ..	Musammât Anis Fatma.	Zamindari	..	Knows Urdu and Persian.	Widow ..	S. Ghayes Uddin	..	Attends meetings in <i>burqa</i> .
Sambhal ..	Mrs. A. E. Jackson	Nil ..	..	Read English up to IX Class.	Married ..	Mr. A. E. Jackson.	..	Does not observe pardah.
Shahjahanpur ..	Mrs. Rufus Charan	Nil ..	..	Matriculate	Do. ..	Mr. R. S. Charan	..	Ditto.
Tilhar ..	Musammât Jafri Begum.	Cultivator	..	Knows Urdu	Do. ..	M. Ahmad Husain Khan.	..	Attends meetings in <i>burqa</i> .
Pilibhit ..	Dr. Begum Abdul Ghafoor.	Medical Practitioner	..	L. M. P.	Do. ..	Dr. Abdul Ghafoor	..	Ditto.
Bisalpur ..	Mrs. Maharani Prasad.	Missionary	..	Passed Class IV with Bible.	Do. ..	Rev. Baldeo Prasad	..	Does not observe pardah.

APPENDIX A—(continued)

Name of municipality	Name of lady member	Her profession	Her educational qualifications	Whether married, unmarried or widow	The name of her husband, if she be married or a widow	Whether she observes pardah or not
Fatehgarh-on-Ferozshahabad.	Musammat Fatma Begum.	Nil ..	Knows Urdu ..	Married ..	M. Nawab Zaman Khan.	Does not observe strict pardah, but attends boards in <i>burga</i> .
Bhawab ..	Srinmati Sharda Devi Srivastava.	Nil ..	Lower Middle Examination, knows Hindi, Urdu, and a little English.	Do. ..	Mr. Rajnarain Srivastava.	Does not observe pardah.
Cawnpore ..	Mrs. Shushila Srivastava.	Nil ..	Read up to High School Standard.	Do. ..	Mr. B. P. Srivastava	Does not observe pardah.
Kanauj ..	Srinmati Ram Sri Dube.	Nil ..	Knows Hindi ..	Do. ..	Dr. Mohan Lal Dube	Ditto.
Fatehpur ..	Dr. Mrs. Thomas ..	Sub-Assistant Surgeon.	Read English up to VIII Class and also knows Urdu.	Widow ..	Mr. T. L. Thomas	Ditto.
Allahabad ..	Mrs. Banerji ..	Special Lady Magistrate, 3rd class.	Intermediate passed	Married ..	Professor A. C. Banerji.	Ditto.
Jhansi ..	Mrs. H. Roberts ..	Nil ..	Read up to X Standard.	Do. ..	Mr. J. W. Roberts	Ditto.
Mau ..	Srinmati Ram Puri Devi.	Zamindari ..	Studied up to VIII Standard.	Do. ..	Lala Ram Narain ..	Ditto.
Lalitpur ..	Chaubin Lilawati ..	Nil ..	Read up to Middle Standard.	Do. ..	Pandit Purushottam Narain Chaube.	Ditto.

Orai	..	Musamat Saiyada Begum.	Nil	..	Knows Urdu and some English.	Do.	..	Saiyed Ata Ullah ..	Comes out in <i>burga</i> .
Kalpi	..	Shrimati Shankari Devi.	Nil	..	Knows Hindi	Do.	..	Babu Daya Shankar Nigam.	Does not observe pardah.
Kunch	..	Shrimati Chiranji Devi.	Nil	..	Knows Hindi	Widow	..	Babu Har Prasad ..	Ditto.
Banda	..	Mrs. Wesley	Nil	..	B. A.	Married	..	Mr. Wesley	Ditto.
Benares	..	(Superseded).							
Mirzapur	..	Mrs. Lewis	Nil	..	Read up to Matriculation Standard.	Do.	..	Mr. O. Lewis	Ditto.
Jaunpur	..	Musamat Munder Bibi.	Nil	..	Knows Hindi and Sanskrit thoroughly.	Widow	..	Babu Gauri Shankar Kapoor.	Ditto.
Ghazipur	..	Miss. E. C. Brown	Nil	..	European High School Examination.	Unmarried	..	..	Ditto.
Ballia	..	Shrimati Shilmohini Sinha.	Nil	..	Passed Vidya Vinodini and part of Vidushi Examinations of Prayag Mahila Vidyapith, Allahabad.	Married	..	Mr. Krishna Nand Sinha.	Ditto.
Gorakhpur	..	Miss Marie A. Catchtoor.	Lady Doctor	..	M. B., B. S.	Unmarried	..	..	Ditto.
Azamgarh	..	Srimati Bela Devi	Nil	..	Knows English and has read Hindi up to Vernacular Final Examination.	Married	..	Pandit Shyama Pati Pande.	Ditto.
Almora	..	Mrs. A. Rawat	..	..	High School and C. T.	Do.	..	Dr. A. Rawat	Ditto.

APPENDIX A—(continued)

Name of municipality	Name of lady member	Her profession	Her educational qualifications	Whether married, unmarried or widow	The name of her husband if she be married or a widow	Whether she observes purdah or not
Naini Tal ..	No election held this year and no lady member.	..	..	..	..	..
Kashipur ..	Vacant ..	..	..	..	..	..
Lucknow ..	Begum Habib Ullah ..	Nil ..	Knows Urdu and English.	Married ..	Shaikh Muhammed Habib Ullah, O.B.E., M.L.C.	Does not observe purdah.
Unao ..	Musammat Kalawati Devi.	Nil ..	Knows Hindi ..	Do. ..	Seth Mahadeo Prasad.	Observes purdah but attends meetings.
Rao Bareilly ..	Mrs. M. Afzal ..	Nil ..	Knows English (English Lady).	Do. ..	Mr. M. Afzal, Barrister-at-Law.	Does not observe purdah.
Sitapur ..	Dr. Miss Greene ..	Missionary ..	M. A., Ph. D. ..	Unmarried ..	..	Ditto.
Khatirabad ..	Musammat Larati Devi.	Nil ..	Hindi Middle ..	Married ..	Pandit Kishan Sarup Sharma.	Ditto.
Hardoi ..	(Superseded)	..	..	..	..	..
Shehabad ..	Vacant.	..	..	..	..	..
Sandila ..	Begum Aijaz Rasul	Nil ..	Read up to Intermediate class.	Married ..	S. Aijaz Rasul ..	Ditto.
Lakhimpur ..	Mrs. F. Macgregor	Nil ..	Sufficiently educated	Widow ..	Mr. W. L. Macgregor	Ditto.
Fyzabad ..	Mrs. Prakashvati Manucha.	Nil ..	Knows English and Vernacular (English and return).	Married ..	Mr. Har Kishan Lal Manucha.	Ditto.

Tanda	..	Miss Ezekiel	..	Lady doctor	..	L. M. P., Agra	..	Unmarried	..	Ditto.
Gonda	..	Mrs. Maruf	..	Nil	..	Read up to English Middle Standard.	..	Married	Mr. A. S. Maruf	Ditto.
Balrampur	..	Shrimati Phulkumari Srivastava.	..	Nil	..	Vernacular Final Examination in Hindi.	..	Do.	Mr. Shri Krishna Chandra Srivastava.	Ditto.
Bahraich	..	Musamat Anis Fatma.	..	Nil	..	Nil	..	Do.	Mr. Syed Alay Hasan	Attends meetings in <i>burga</i> .
Sultanpur	..	Rani Bhuneshwari Raj Lakshmi Devi of Kurwar.	..	Taluqdari	..	Knows Hindi and English.	..	Widow	Raja Pratap Bahadur Singh of Kurwar.	Does not observe pardah.
Bela (Partabgarh).	..	Mrs. Bhaiya Suraj Prasad Singh.	..	Her husband is a landlord.	..	Matriculate	..	Married	Bhaiya Suraj Prasad Singh.	Ditto.
Nawabganj	..	(Superseded.)								

APPENDIX B

(See page 9 *supra*)

Statement referred to in answer to part (f) of Council question no. 2 for 16th March, 1936

District	Name of the lady nominated to the district board	Profession	Educational qualifications	Whether married, or widow	Name of the husband, if married or widow	Whether observes pardah or not
1. Dehra Dun	Miss Stabelin	Zamindar	Educated ..	Unmarried	..	No.
2. Saharanpur	Mrs. F. B. Powell ..	..	Educated ..	Married ..	Mr. F. B. Powell ..	No.
3. Muzaffarnagar	Mrs. Nazir Hasan	..	Can read and write Urdu and Persian and knows some English.	Do. ..	Mr. Nazir Hasan ..	Yes. Attends meeting in <i>burqa</i> .
4. Meerut	Miss Anie James	Head Mistress	Educated ..	Unmarried	..	No.
5. Bulandshahr	Shrimati Sumant Kumari Devi.	Assistant Mistress	Hindi Middle passed ..	Married ..	Pandit Tika Ram ..	No.
6. Aligarh	Miss K. Abdullah ..	Principal, Girls' College, Aligarh.	M.A. (Leeds)	Unmarried	..	No.
7. Mathura	Brj Rani	..	Knows Hindi well ..	Married ..	Mr. Manohar Lal	No.
8. Agra	Shrimati Bhagwati Devi.	..	Can read and write Hindi well.	Widow ..	Pandit Shri Ram	No.
9. Mainpuri ..	Musammat Badrunisan Begum.	(She has resigned and no nomination has been made so far in her place).				
10. Etah ..	Musammat Muzay-yab Begum.	Zamindari	Can read and write Urdu only.	Married ..	M. Abdul Ghani, Rais Ras Patti.	Yes. Attends meeting in <i>burqa</i> .

11. Bareilly ..	Shrimati .. Devi.	Savitri	Belongs to a zamindar family.	Read up to Matriculation and passed Madhyama Examination.	Do. ..	Mr. Chander Narain Saksena, M.A., zamindar.	No.
12. Bijnor ..	Miss Jessie I. Peters		In Bijnor Mission ..	M.A., B.Sc.	Unmarried	..	No.
13. Budann ..	Miss Phillips	..	Manager and Head Mistress, Mission Girls' School.	Entrance, C.T.	Do. ..	..	No.
14. Moradabad	Ganga Devi	..	..	Passed an examination of Gram Such and her qualification is of IV standard Vernacular.	Married ..	Babu Bhagwan Chandra, Hakim, Sambhal, Sarai Tarin.	No.
15. Shahjahanpur.	Mrs. Savitri Verma	..	..	Passed the Anglo-Vernacular examination for girls and has prosecuted her studies up to Class VIII.	Do. ..	Mr. Hori Lal Verma, Bar-at-Law.	No.
16. Pilbhit ..	Dr. Miss Margaret Banerjee.		Medical Woman in the employ of the local Red Cross Society.	L.M.F., R.M.P., L.M.D.	Unmarried	..	No.
17. Farrukhabad.	Mrs. Tilak Singh	..	..	Educated privately, can read and write Hindi.	Married ..	Babu Tilak Singh ..	No.
18. Etawah ..	Shrimati Vidyavati Sharma.	..	..	Upper Primary IV class, Vernacular.	Do. ..	Pandit Babu Ram Sharma, B.A., LL.B., Advocate.	No.
19. Cawnpore	Musammat Praga Kunwar.	..	..	Details not received ..	Widow ..	Thakur Dusrat Singh.	
20. Fatehpur	Musammat Wahidan	..	..	Ditto ..	Married ..	M. Gulzar Khan, of village Ghazipur.	
21. Allahabad	Mrs. Mahadevi Verma.		Principal, Vidya Mahila Pith.	M.A. ..	Do. ..	Dr. Anand Swarup	No.

APPENDIX B—(continued)

District	Name of the lady nominated to the district board	Profession	Educational qualifications	Whether married or widow	Name of the husband, if married or widow	Whether observes <i>pardah</i> or not
22. Banda	Mrs. Masud-uz-Zaman	..	Passed 5th standard of primary school, knows Urdu and a certain amount of English.	Married ..	Khan Bahadur Sheikh Masud-uz-Zaman, Bar.-at-Law.	No.
23. Hamirpur	Musammat Salyida Begum	Big zamindar ..	Can read and write Urdu well.	Widow ..	Khan Bahadur Syed Mohammad Ismail.	Yes. Attends meetings in <i>burga</i> .
24. Jhansi	Musammat Radha Bai	Petty zamindar ..	Can make her signature in Hindi only.	Married ..	Babu Sheo Din Ahir	No.
25. Jaloun	Shrimati Mahadevi Tiwari	..	Has read Hindi up to IV class.	Do. ..	Pandit Bir Bhadra Tiwari.	No.
26. Benares	Shrimati Rama Devi	Head teacher, Central Training School, Ramghat.	Passed middle examination in Hindi and Urdu and also P. T. C. and V. T. C. Examinations.	Widow ..	Pandit Hanuman Prasad Shukla.	No.
27. Mirzapur	Shanbhagyavati Shanta Devi.	..	Read Hindi up to X class at Poona.	Married ..	Babu Murli Manohar.	No.
28. Jaunpur	Mrs. Mukand	Medical practitioner	Matric ..	Do. ..	Mr. T. N. Mukand	No.
29. Ghazipur	Miss Ethel Browne	..	European High School Examination.	Unmarried	..	No.
30. Ballia	Mrs. Ghulam Qadir	Mission Service ..	Passed English Middle Final Examination.	Married ..	Revd. Ghulam Qadir	No.

31. Gorakhpur	Mrs. Adeline Singh	Sub-Assistant Surgeon (does not practice now).	Has read up to X class and has acquired the Diploma of L.M.P.	Do.	Mr. Amar Singh	No.
32. Basti	Mrs. M. C. Anson	..	Has read up to the Anglo-Vernacular Middle class for girls.	Do.	Mr. Anson	No.
33. Azamgarh	Shrimati Hansraj Devi.	Looks after her household affairs and her landed property.	Can read and write Hindi	Widow	Dukh Bhanjan Singh	No.
34. Naini Tal	Shrimati Dharma Devi.	..	Educated but no academic qualifications.	Married	Rai Bahadur Thakur Jasand Singh Bisht, B.A., LL.B.	No.
35. Almora	Mrs. B. S. Roberts	..	Has read up to the High School standard. Has an adequate knowledge of English, Urdu and Hindi.	Do.	Mr. B. S. Roberts	No.
36. Garhwal	..	..	..	..	..	..
37. Lucknow	Miss E. M. Dubo	Principal, Mahila Vidyalaya Intermediate College, Lucknow.	M.A., LL.B.	Unmarried	..	No.
38. Unao	Musammam Fazilat Fatma.	..	Knows Urdu	Married	Syed Mohammad Rizvi, Honorary Magistrate and Member, District Board, Unao.	Yes. Attends meetings in <i>burga</i> .
39. Rae Bareilly	Miss E. F. Daniels	Teacher	Senior trained	Unmarried	..	No.
40. Sitapur	Miss D. deCosta	Service	Oxford Senior	Do.	..	No.

APPENDIX B—(concluded)

District	Name of the lady nominated to the district board	Profession	Educational qualifications	Whether married, unmarried or widow	Name of the husband, if married or widow	Whether observes pardah or not
41. Hardoi ..	Mrs. Mohini Wali	..	Knows Hindi, Urdu and a little English.	Married ..	Pandit Raj Narain Wali, Honorary Magistrate.	No.
42. Kheri ..	Miss M. Hearsey Grant.	Zamindari ..	Educated in England and France.	Unmarried	..	No.
43. Fyzabad ..	Mrs. Jawahar Nath Sapru.	..	Studied up to Matriculation standard, can speak and write English and Vernacular fluently.	Married ..	Pandit Jawahar Nath Sapru, B.A., LL.B., Yakil.	No.
44. Gonda ..	Shrimati Uma Devi	..	Read up to Matriculation standard.	Do. ..	Babu Jai Behari Lal Kashiv.	No.
45. Bahraich ..	Mrs. K. Pradhan ..	..	B.A. (Allahabad) and Vidyavinodini of Prayag Mahila Vidyalaya.	Do. ..	Babu Hari Das Pradhan, M.A., LL.B., Nab-Tahsildar, Bahraich.	No.
46. Sultanpur ..	Rani Bhubaneswari Raj Lakshmi Devi, of Kurwar.	Taluqdari ..	Well educated in English and Hindi.	Widow ..	Raja Pratap Bahadur Singh.	No.
47. Partabgarh ..	Shrimati Rajwanti	Cultivation ..	Can read and write Hindi fairly well.	Do. ..	Pandit Ram Saran Pande.	No.
48. Bara Banki ..	Miss A. E. Dayal ..	Medical practitioner	L. M. P. and a Registered Medical practitioner.	Unmarried	..	No.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Tuesday, 17th March, 1936

The Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (81) :

The Hon'ble Mr. J. M. Clay.	Pandit Shri Sadayatan Pande.
The Hon'ble Kunwar Sir Maharaj Singh.	Raja Sri Krishna Dutt Dube.
The Hon'ble Nawab Sir Muhammad Yusuf.	Rai Bahadur Babu Jagadeva Roy.
The Hon'ble Sir Jwala P. Srivastava	Mr. Dahari.
Mr. H. Bomford.	Rai Sahib Rai Rajeshwari Prasad.
Mr. J. L. Sathe.	Thakur Giriraj Singh.
Mr. A. B. Reid.	Pandit Prem Ballabh Belwal.
Mr. P. M. Kharegat.	Thakur Jang Bahadur Singh Bisht.
Mr. A. A. Waugh.	Pandit Brahma Dutt Bajpai.
Rai Bahadur Mr. Phul Chand Mogha.	Rai Bahadur Thakur Hanuman Singh.
Mr. H. R. Harrop.	Rai Bahadur Lal Sheo Pratap Singh.
Mr. H. J. Frampton.	Thakur Muneshwar Bakhsh Singh.
Rai Bahadur Pandit Brij Chand Sharma.	Raja Birendra Bikram Singh.
Mr. Himmat Singh K. Maheshari	Rai Bahadur Kunwar Surendra Pratap Sahi.
Khan Bahadur Munshi Mushtaq Ali Khan.	Mr. C. Y. Chintamani.
Mr. Pratap Shankar.	Rai Rajeshwar Bali.
Rai Bahadur Ram Babu Saksena.	Mr. Zahur Ahmad.
Mr. D. L. Drake-Brockman.	Syed Ali Zaheer.
Mr. A. C. Turner.	Khan Sahib Sahibzada Haji Shaikh
Mr. R. A. Horton.	Muhammad Rashid-ud-din Ahmad.
Khan Bahadur Maulvi Fasih-ud-din	Nawabzada Muhammad Liaquat Ali Khan.
Rai Sahib Babu Rama Charana.	Mr. Muhammad Rahmat Khan.
Chaudhri Ram Dayal.	Khan Bahadur Haji Muhammad Obaid-ur-
Chaudhri Jagarnath.	Rahman Khan.
Chaudhri Baldeva.	Khan Bahadur Saiyid Jafer Hosain.
Mr. Tappu Ram.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Ram Chandra.	Khan Bahadur Maulvi Muhammad Fazl
Chaudhri Ghasita.	ur-Rahman Khan.
Chaudhri Arjuna Singh.	Khan Bahadur Sirdar Muhammad
Rao Sahib Thakur Shiva Dhyan Singh.	Shakirdad Khan.
Rai Bahadur Kunwar Girwar Singh.	Khan Sahib Muhammad Imtiaz Ahmad.
Rao Krishna Pal Singh.	Shaikh Muhammad Habib-ullah.
Rai Bahadur Kunwar Dhakan Lal.	Raja Saiyid Ahmad Ali Khan Alvi.
Thakur Balwant Singh Gablot.	Raja Saiyid Muhammad Mehdi.
Rai Bahadur Mr. Brij Lal Badhwar.	Mr. L. M. Medley.
Rai Bahadur Babu Manmohan Sahai.	Rai Bahadur Lala Anand Sarup.
Babu Ram Bahadur Saksena.	Rai Bahadur Lala Bihari Lal.
Kunwar Jagbhan Singh.	Chaudhri Muhammad Ali.
Thakur Keshava Chandra Singh.	Rai Bahadur Lala Prag Narayan.
Rao Narsingh Rao.	Raja Bisheshwar Dayal Seth.
Rai Sahib Ram Adhin.	Raja Jagannath Bakhsh Singh.
Mr. Bhondu Ram.	Munshi Gajadhar Prasad.
Rai Govind Chandra.	

MEMBERS SWORN :

1. Mr. D. L. Drake-Brockman.
2. Mr. H. R. Harrop.
3. Rai Bahadur Pandit Brijchand Sharma.
4. Mr. Himmat Singh K. Maheshari.
5. Mr. Pratap Shankar.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS FOR GRANTS

GRANT NO. 8. 5—LAND REVENUE

The Hon'ble the Finance Member: Mr. President, I rise to communicate to the Council the recommendation of His Excellency the Governor that under item 5—Land Revenue the sum of Rs.81,99,115 be granted, and I move that this sum be voted.

This budget, Sir, is not one of the largest of the budgets which are placed before the Council, but in the circumstances of this almost entirely agricultural province it is one of the most important. Under this budget the expenditure on the maintenance and preparation of land records is incurred; and it is not too much to say that these records are one of the most important things in the agricultural and domestic life of probably 95 per cent. of the inhabitants of these provinces. To the cultivator in the village the patwari and the qanungo are the repository of knowledge and documents which are of vital importance to everyone of them. The patwari's papers are the title deeds of the land-owner and the tenant; and unless they are maintained in a satisfactory condition, confusion, litigation and inconvenience on a large scale is bound to supervene. I have mentioned this fact, which, I have no doubt, is well known to all honourable members, because it is one of such outstanding importance in the life of the province.

The budget is for a sum of roughly Rs.82 lakhs, which may be divided into five heads—

	Rs.
Administration	2,82,000
Government Estates	7,00,000
Provision for new settlements and revision of settlements	10,00,000
Maintenance of land records, by far the largest item in the whole budget	60.63,000
of which over Rs.57,00,000 is spent on the pay of patwaris. There is also a small item of assignment of revenue, which accounts for Rs.3½ lakhs.	

This total represents an increase of a little more than Rs.7 lakhs above the budget allotment and the supplementary grants for the current year. This increase is mainly due to the proposal to resume settlements and to undertake revisions of settlement in five districts which are to be resettled and five districts in which settlement is to be revised. This decision was endorsed by the Council only last week when they passed into law a short amending Act, dealing with certain points under the Land Revenue Act of these provinces. Allowing for this increase due to the resumption of settlement operations, our estimates are roughly Rs.42,000 less than they were when this budget was presented last year. I do not propose to say anything more here about these new settlements and revision proposals, but I think I should make it clear to honourable members that the amount provided includes

a sum of very nearly 1½ lakhs for the continuation of settlement operations in the hill districts. That is a large sum, which Government do not feel justified in spending in one year in the circumstances of Kumaun and it is proposed to make a fairly large reduction in that provision, unless it is the strongly expressed desire of the House that the whole amount should be used in the coming year. Other small increases occur under the provision for the establishment of honorary assistant collectors and under the engineering staff of the Government estates, also under Land Records—district charges—pay of officers. Under all other heads the most rigorous economy has been observed. In the case of honorary assistant collectors' staff the increase is due to the actual needs of the existing cadre of honorary assistant collectors. These clerks are provided in accordance with rules based on the volume of work done in the courts of these officers. The increase under the head—'Engineering staff' is apparent only, and is due to the substitution of a voted assistant executive engineer in the Tarai and Bhabar Estates for a non-voted officer who held the post last year. Another item of extra expenditure is due to the re-opening of the qanungos training school—a measure which had to be taken up in the interests of the accuracy of our land records. This caused an increase in the pay of officers under the head—'Land Records'. The Principal of this school who is a Deputy Collector with long experience of settlement and record work, has been provided as Principal of the school for the whole of the coming year instead of only a part of it.

I should like, here, Sir, to express the great appreciation of the Government for the thorough and careful examination of the state of the land records work in these provinces which has been made by the present Senior Member of the Board of Revenue, Mr. Drake-Brockman, during the last two years. It is probably well-known to all members of this House that owing to the manifold outside duties which have been cast upon the land records staff since the year 1921—duties of a political character in connexion with the elections, and others arising from the great fall in the value of agricultural produce—less time than ought to have been devoted to these very important records has been available for this purpose. The result has been that the condition of the land records in many districts of the province has deteriorated to an alarming extent. Mr. Drake-Brockman has, during the last two years, made it his object to try and improve the general condition of these records everywhere. As I said just now, the condition of these records is of paramount importance to the vast majority of the agriculturists of these provinces, and anything which tends to improve the accuracy of the records is a thing of first class importance both to Government and to the residents of the province. Under Mr. Drake-Brockman's orders two special land records officers have been appointed, and a number of extra superintending qanungos have during the last two years been working with the special object of testing and improving the accuracy of all the districts of the province in turn. I hope that, in the course of another year or two, the effect of these measures will become apparent

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in the greatly improved condition of these records. I may mention also that the Board of Revenue have carried out a very thorough revision of the Land Records Manual. This is a piece of work which has been pending for a long time. They have now in hand the revision of the Partition Manual to which, I believe we shall have some references shortly, and they have recently taken up the revision of the *lagari* rules, which have been recognized as being not altogether satisfactory for many years past but for the revision of which it has hitherto been impossible to spare the time.

I would also like to refer to some of the undertakings given by the Hon'ble Sir Jagdish Prasad when he dealt with this budget last year. One point was raised with regard to the charges made for the erection of boundary pillars. This matter was taken up by my friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan, whom I am glad to see here this morning. He will be interested to know that full inquiries were made on the subject and it was ascertained that overcharges in respect of boundary pillars were found to have occurred only in three districts of the province, in one to rather a persistent degree. Orders have been issued to prevent the recurrence of such overcharges and for the refund of any excess charges which have already been levied.

The same honourable member raised the question of the cost of the union of mahals. The Board of Revenue have decided that in future no charges will be levied for performing this work.

The honourable member for Naini Tal spoke about the question of elephants in the Tarai and Bhabar Estates. I think the subject of elephants occurs at fairly regular intervals in the discussion of this budget, so I won't say much about them here. I have probably got more personal experience of the Tarai and Bhabar Estates both in Garhwal and Naini Tal and of their elephants than any other officer. I shall therefore be able to satisfy any honourable member's thirst for information in this connexion later on. But I may mention here that out of the original 14 elephants which used to be maintained in the Tarai and Bhabar only ten are now left.

Mr. C. Y. Chintamani: What has happened to the other four?

The Hon'ble the Finance Member: Old age and disease have carried them away. Even elephants do not live for ever and after the age of 110 years they usually become too feeble to do general work. If nature does not remove them from the scene we let them loose in the forests where they were originally born.

As to gardens in the Tarai and Bhabar Estates about which something was said last year, I may inform the House that it has been decided to retain only three out of the six gardens under direct management and to lease out the other three. It is perhaps not known that the original reason for starting these gardens was to provide grafts and young trees, fruit bearing trees, for the tenants of these estates and that many thousands of young trees have been provided for the convenience of the tenants during past years.

Shaikh Muhammad Habib-ullah: Are they nurseries?

The Hon'ble the Finance Member: They were originally intended to be nurseries. As for vegetables, orders have now issued that all users of the vegetables grown in these gardens will pay for them and not only the touring staff attached to the district concerned.

Another complaint made by my friend Pandit Prem Ballabh Belwal was with regard to the distribution of canal water. That complaint has, I think, been made for the last 60 years and I am quite certain it will continue to be made for the next 60 years if these estates remain in existence because no one will ever be able to succeed in satisfying everybody with regard to the distribution of canal water. All that we can undertake to do is to consider any complaints that are made and try and ensure that so far as possible everyone's convenience will be carefully looked into and observed. Other points with regard to the Government estates such as the need for additional veterinary staff and wider anti-malarial measures were raised and spoken about. I am quite ready to admit that all these matters are of importance, but one must also remember that any extension of these activities also costs a good deal of money. It is simply a question how to balance the need for these desirable services with the need for preserving economy in the administration.

Mr. C. Y. Chintamani: Fresh taxation.

The Hon'ble the Finance Member: I am sure that the honourable Leader of the Opposition will not approve of any further suggestion for taxation. . . .

Mr. C. Y. Chintamani: Shaikh Habib-ullah will.

Shaikh Muhammad Habib-ullah: I shall surely for these desirable objects to improve human life.

The Hon'ble the Finance Member: In fact, as usually happens, Government finds itself in a middle position between those who object to further expenditure on increased services of this nature, and those who demand these improvements and urge the paramount need for providing them. In this way, Government occupy the unenviable situation of being the butt of both parties and the recipient of criticisms from both sides.

Mr. C. Y. Chintamani: My condolence.

The Hon'ble the Finance Member: Finally, I will touch on one other matter of general importance. My friend Raja Jagannath Bakhsh Singh has, I think on two or three previous occasions in connexion with this budget, raised the question of obtaining assistance from Government to enable landholders to realize their rents more easily. This we recognize to be an important matter, but it is one that does not admit of any simple solution. Actually the solution which Government has put forward, is about to be embarked upon. We desire first of all to ensure that the rents which are recorded in the patwaris' papers are such as can be readily paid in full and are such as have been agreed upon between

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the zamindar and the tenant or have been fixed by the Settlement Officer or the Revising Officer. When once we have reached that state of affairs, I can assure the House that Government will not hesitate to insist on the courts enforcing more readily than they do at present, prompt payment of rents in full and also reducing the number of extensions, which are, we know, given in certain cases at present to habitual defaulters on the ground that the court is not fully satisfied that the recorded rents are such, even with the remissions granted, as can be readily paid by the tenants concerned. That is the solution which Government offers for the state of affairs alluded to by my honourable friend opposite, and I hope that, thanks to the passage of the Land Revenue (Amendment) Bill, it will be possible to start work on the revision of settlements within the next month or two. These, Sir, are all the points which I want to mention in a general way. Any other matters on which honourable members desire information or assistance will be dealt with during the raising of the cuts; and Sir, I should like to state that we shall always be only too ready to do all in our power to give that information or any assistance of which honourable members may stand in need.

Raja Saiyid Muhammad Mehdi: Sir, I beg to move that under sub-head A - General revenue charges—1. Pay of establishment, a reduction of Re.1 be made.

My object in bringing this motion is to draw the attention of the Government to the delay caused in recovery of revenue when applications are made under sections 184 and 185 of the Land Revenue Act. The courts have been dilatory in the past, but the inconvenience and hardship caused to the lambardars and proprietors has been greater during the past year. In these days of depression the proprietors and lambardars had to pay their revenue in time, but when they apply under these sections usually what happens is that the court issues orders for the attachment of movable property.

The Hon'ble the President: But, how does the honourable member bring it here under establishment? It should come under the entire head, with which we shall deal later. The honourable member can move it later under some other head. It does not come in here. We are concerned here with the pay of establishment, and I do not think establishment has anything to do with it.

Raja Saiyid Muhammad Mehdi: Sir, my point was that kanungos and others are also included in establishment.

The Hon'ble the President: Do kanungos come in here?

The Hon'ble the Finance Member: No, Sir. If the honourable member will refer to page 56 he will see that the pay of the establishment referred to is of the temporary staff—temporary revenue accountants and assistants, temporary land acquisition establishment and temporary establishment for alluvial mahals. I think his point will come up under pay of patwaris later on.

The Hon'ble the President: That will come up later on, or under the entire head. The motion for the present is out of order.

Raja Saiyid Muhammad Mehdi: May I move it under the head of revenue courts?

The Hon'ble the President: I think the honourable member had better find out from the Hon'ble the Finance Member where to move it, or ask me privately.

Rao Krishna Pal Singh: Sir, I beg to move that under sub-head Charges of Administration—A—General revenue charges—a reduction of Re.1 be made.

Sir, as has been stated by various members whenever this budget has been discussed on the floor of this House, it is clear that the general land revenue policy or the Government needs being overhauled . . .

The Hon'ble the President: I regret to say that as far as general revenue policy is concerned, that had better come under the entire head.

Rao Krishna Pal Singh: I want to raise minor points.

The Hon'ble the President: That is altogether another matter. If the honourable member will look at the items mentioned under this head he will find that it has nothing to do with the revenue policy. This is only land acquisition and temporary establishment. The question of general revenue policy will come up later on. If the honourable member wants to discuss the general policy he had better do it later. But if he wants to say something about the items covered by this head he might do so now.

Rao Krishna Pal Singh: This includes the pay of the higher establishment?

The Hon'ble the President: Not at all. If the honourable member will refer to the items under the head he will find that they are temporary revenue accountants and assistants, temporary land acquisition establishment, temporary establishment for alluvial mahals, etc.

Rao Krishna Pal Singh: May I move this out later on?

The Hon'ble the President: Quite; or discuss the policy under the entire sub-head. For the present the motion is out of order.

Pandit Prem Ballabh Belwal: I beg to move that under sub-head—Management of Government Estates—Tarai and Bhabar Government Estates—A—Collection of Revenue—3. Allowances and Honoraria—Total, a reduction of Re.1 be made.

Sir, it is again for the second time that I wish to put before the Government and the honourable the Senior Member of the Board of Revenue the grievances of the headmen of State-owned villages in the Tarai Government Estates. In each of the villages owned by Government it is necessary and at the same time desirable that a headman should be appointed for the carrying on of the administrative work of the village and he is held responsible for all sorts of Government dues, for the distribution of water, for giving information of all kinds; at the same time he is called upon from time to time to give such

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assistance as may be desirable. His duties, Sir, are comparatively more important and more responsible than those of any headman or lambardar in the plains and the hills. The most responsible part of his work is to bring the village under complete cultivation. The honourable Board of Revenue may be knowing it fully well how difficult it is to cultivate a village in the Tarai and Bhabar unless a headman advances a large amount of money to tenants in order to meet their preliminary expenses—for the purchase of bullocks, seeds, tools, etc. and pays off their old debts. Thus these padhans are required to invest large sums of taqavi loans with a view to attract tenants from other places and to get them settled down in the malarious climate of Tarai and Bhabar. It is further necessary to finance them from time to time in order to maintain cultivation in the village and raise Government revenue. In return he is only paid 10 per cent. of the total revenue and it generally happens that many tenants, as is customary there, run away at the end of each year without paying the Government revenue and thus many holdings remain uncultivated for the second year, but the poor headman is responsible for making up all this loss from his own pocket. In this way he loses every year many times more than what is paid to him by way of commission. The Hon'ble the Finance Member who has been in charge of that district knows fully well that such cases occur every year. I want to impress upon the Government how far it is reasonable that the padhan be held responsible for the rent of those people who run away from the villages and from whom he cannot realize money, even after taking all the measures that can be taken under the law. Because he suffers doubly, he is made to pay Government revenue on behalf of the run-away tenant and he loses his own taqavi which he has advanced with a view to cultivating the holding. In view of what I have said so far it is but reasonable that the remuneration of 10 per cent. which is paid to padhans there should be raised to at least about 20 per cent. because his condition is different from that of lambardars in other districts. Here he has to work throughout the year in a bad climate, he has to invest large amounts on taqavi loans at a great personal risk and in some cases has to neglect his property and other business in the hills or plains—from where he has come—to keep the village in a prosperous condition and raise the Government revenue. So it is up to the Government to consider their case and give such remuneration which is befitting their position and their work. At present Padhans can at the most earn from Rs.50 to Rs.100 by way of commission whereas their losses are many times more than this even if one tenant runs away. If, however, the Government is not inclined to consider their cases with a view to increase their remuneration, they should not be held responsible for improving cultivation which cannot successfully be attempted without taking risks. Tenants who may stay on in the village of their free will without expecting any monetary help from the padhan should be considered to be quite sufficient and no obligation should be placed on him to increase cultivation by advancing taqavi loans which he cannot meet from the remuneration

that is paid to him by the Government. This is a general grievance of all the padhans whom I have met. They also made a representation to the honourable Board of Revenue last year and the Board of Revenue promised them consideration. I again ask the honourable Board of Revenue to consider their case and implement the hopes which they gave them at that time.

The Hon'ble the Finance Member: Sir, I sympathize with my friend who has just sat down in connexion with the sad plight of a good many of the padhans in the Government Estates situated in the Naini Tal Tarai and Bhabar. In the days when this estate was found by Sir Henry Ramsay the position of the padhan was very different from what it is now. He was then, as a rule, a wealthy *pahari* who came down with considerable capital from his home in Almora and settled a village with his own tenants and saw that it was well cultivated. The 10 per cent. *Padhanchari haqq* made a very handsome income in those days without reckoning what he also made by his own cultivation. But I am afraid that during the last 15 or 20 years for some reason, which it is difficult exactly to diagnose, the condition of the *padhans* in the Bhabar and Tarai estates has gone from bad to worse. Why this should have happened only in the Naini Tal District and not in the Garhwal District I cannot say. The Garhwal Bhabar Estate is, I believe, still in as prosperous a condition as when I left it at the beginning of 1920.

Pandit Prem Ballabh Belwal: The climate is better there.

The Hon'ble the Finance Member: Of course climatic conditions are of great importance; but I do not know whether my friend has equal experience of both places. I should myself have doubted whether the climate of Kotdwara differs very greatly from that of the more developed tracts of the Naini Tal Bhabar. But the fact remains that the Garhwali tenants in the Bhabar round Kotdwara are still. I understand, doing quite well and are able to carry on their cultivation without anything like the amount of assistance which their brethren in the Naini Tal District are always asking the Government to give them. The honourable member has asked for two things; one that the Government should not hold the padhans responsible for the rents of their *sajhis* who run away without paying their rents during the course of the year. The second request is about the raising of the *Padhanchari haqq* from 10 to 20 per cent. of the rents. Both these are somewhat revolutionary proposals and will require careful inquiry before any decision can be come to with regard to them. The Senior Member of the Board of Revenue who is directly in charge of the Government Estates in that division tells me that he is enquiring into these questions and into a number of cognate matters connected with the present decline in the prosperity of the villages in the Bhabar. He hopes that he will be able to come up to Government before very long with some proposals on the subject. More than this it is impossible for me to say now. I hope my friend will accept my assurance that Government are considering this important question and will do their best to find some solution of the difficulty which he has pointed out.

Shaikh Muhammad Habib-ullah : I believe Tarai and Bhabar are the only places in these provinces where there is in existence what may be called a ryotwari system, that is, the Government deals directly with the cultivator of the soil. The revelations which have been made from time to time in this House do not at all reflect any credit on the Government as regards the way in which these tracts are run by the Government as zamindars. I think the Government should draw inference and judge from their own experience in the Tarai and Bhabar as to whether they are better zamindars as compared to other land-holders of the province.

Now, Sir, it is said and it is admitted that the padhan whom the Hon'ble the Finance Member called *sajhi*, viz. a sort of co-sharer. . .

The Hon'ble the Finance Member : On a point of personal explanation, Sir. The *sajhi* is a tenant who is imported by the padhan to cultivate an area in the village.

Shaikh Muhammad Habib-ullah : That is he is a tenant of the Government and not of the padhan. Padhan is only in charge of collection of rent. I should like to know whether the position of the padhan is that of a lambardar who gets so much per cent. on the collection of land revenue. I understand that a padhan gets 10 per cent. for the collection of rent for Government from the tenants in the Tarai and Bhabar and that if any tenant runs away, he has got to make good the loss in rent thus accruing to Government. Is a padhan a sort of statutorily appointed person or that he applies to become a padhan and thus he is appointed and makes himself responsible? I understand that a lambardar, whether he may or may not apply, can always be appointed with a mahal. But what is the position of a padhan? Is he appointed in the same way as a lambardar is appointed, or is he a hereditary person? Has he to apply for the post? Of course if he applies for the post, he has got to suffer the consequences. He is there and can cultivate his own land and thereby make a profit. If any tenant whose rent he has got to collect runs away, I think the padhan can locally arrange to let out his holding to some other tenant and perhaps make him as well pay the arrears. But for a Government who have got such an efficient staff of civil servants to leave the fate of the tenants in the hands of a padhan is by no means creditable. Just to save a little money and trouble the thing is worked through a padhan. They should deal directly with the tenants through their own servants and suffer the loss caused by the tenants who run away instead of recovering the same from the padhan. I think there is something wrong with the system of administration in the Tarai and Bhabar and I hope the Government will see that if there is a defect in the system, it is removed. The Government should prove itself a very efficient and sympathetic landlord as compared to those about whom people talk as a mere intermediaries who should not exist.

Pandit Prem Ballabh Belwal : I am somewhat surprised at the remarks of the Hon'ble the Finance Member when he characterized my proposals as revolutionary. As a matter of fact he has himself stated that during the last fifteen years the position has gone from bad to worse. The proposals that I made were most modest, and the request

that I made on behalf of the padhan most humble. The padhans have ruined themselves altogether. They have lost their property, health and wealth. It is no exaggeration if I say that 99 per cent. of these padhans are heavily indebted simply because they have got to advance large sums of money as taqavi to their tenants to cultivate the Government land. These tenants are in the habit of running away and take away all the money that they get. It seems to me that it is not fair that these padhans should be made to suffer all this loss for cultivating land on behalf of the Government. The condition of the Tarai and Bhabar is going down from bad to worse. It is with considerable difficulty that the padhans have been able to pay the Government rent for which they are held responsible. But I submit that if this state of things continues, it will be impossible for them to do so in the future. In many villages if the Hon'ble the Finance Member will please look up at the figures, he will find that a number of them have already resigned and left their holdings.

The next point that I made was that these padhans are required to pay rent even in respect of that land which remains fallow in the second year. This, Sir, is very unreasonable and operates harshly in these times. If a padhan is unable to get a tenant for a deserted holding what justification is there to hold him responsible for the payment of rent in respect of it, as he gets no profit whatever from it. I submit that my proposal is a very modest one, I should, as a matter of fact, ask Government to confer on these padhans hissedari rights in respect of villages which they have held for so many generations. Surely they have earned a claim to become proprietor of this land and it is a just and rightful claim which cannot be held in abeyance for a long time. I am very sorry that Government have not so far seen their way to improve the lot of poor padhans who are the backbone of the Government Estate.

The Hon'ble the Finance Member : I should like to point out to my friend Shaikh Muhammad Habib-ullah Sahib, who has characterized Government managment as being like that of a poor landlord, that where the Government did deal directly with the tenants on the ryotwari system, which they have done always in the Garhwal Bhabar Estates, the results were exceptionally favourable. I was in charge of that estate for seven years, and I remember that under a Superintendent who came from the district of Almora, the condition of the tenantry steadily improved. They became more prosperous and less indebted and were able greatly to improve their position. I do not remember that we had ever to turn out a tenant; and on the few occasions when it was necessary to find a new tenant this was done not by the padhan but by the Superintendent of the estate. Very different conditions prevail in the Naini Tal Bhabar for the reason that, from the very start of that estate, the system of management of these villages through padhans was resorted to and maintained. Government have done their best to continue that system up to the present time. But from what my friend, Pandit Prem Ballabh Belwal, has said, it looks as if the whole system was in danger of collapsing and

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perhaps it might be better to consider a complete change over to the other system which I have described as being in force with much better results elsewhere. He does not appear to regard that prospect with enthusiasm; but Government is bound in the interests of the general tax-payer to do its best to make its property as profitable as it can. I can only assure him that we shall bear in mind all the difficulties which he has rehearsed this morning and try to deal with them as sympathetically as possible; but in the last resort it may be necessary to consider even other methods than those which he has suggested.

The Hon'ble the President: If the motion is being pressed what is the issue before the House?

Pandit Prem Ballabh Belwal: Sir, I do not press it.

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh: Sir, I beg to move that under sub-head "Management of Government Estates—F—Forest charges—Total", a reduction of Rs.10,000 be made.

In this connexion I should like to refer to the income of these forests which is given on page 256. We find that the income from the forests in these Government estates is estimated to be Rs.2,92,000 this year. Last year it was estimated to be Rs.3,36,000 and the revised figure was Rs.3,40,000. So as a matter of fact we are making an estimate of income from this head which is about half a lakh less than it was last year, but we are spending the same amount of money as last year. Last year the estimate of expenditure amounted to Rs.1,28,000 and this year it comes to almost the same. We are having less income under that head, and therefore we must also spend less as far as possible. I have not proposed a proportionate reduction but only a cut of Rs.10,000. We must cut our coat accordingly to our cloth. As the income has fallen we must reduce the expenditure. I hope the Government will accept the reduction proposed.

The Hon'ble the Finance Member: Sir, my friend has referred to page 256 of the budget literature; and it is obvious from the details under "Forests" on that page that this drop of about half a lakh of rupees, to which he refers, is practically all to be found in the Government Estate in the Tarai and Bhabar. Now, Sir, I may state, for the information of the House, that it is the Forest Department in the Tarai and Bhabar Estate which really does bring in money to Government. I am sorry to say that the rents and other sources of income in the estate have declined so much of recent years that the estate in that respect is no longer a paying proposition. It is the profits from the forests of the estate which enable the whole estate to pay a certain amount of profit to the general revenues.

Shaikh Muhammad Habib-ullah: Do they not grow rice and sugar-cane?

The Hon'ble the Finance Member: They certainly grow a number of crops; but the fact remains that the rent portion of the budget of the Tarai and Bhabar Estate does not show a profit, whereas the forests do.

Now, that drop in the expected income from forests is due to the fact that sales are not expected to be so good next year as they have been in the past. That is a thing which happens from time to time. One of the decisive factors in the receipts from forests is the price of the *khair* trees from which *katha* is manufactured. The price of these trees varies from time to time, and is largely dependent on the supply of *katha* from Nepal. When the supply from other sources is large, our prices fall; and when outside *khair* is not plentiful, the contractors who collect *katha* from these trees force up the price, and our income in the Tarai and Bhabar increases correspondingly. It will be observed, Sir, that the actuals for 1934-35 were Rs.2,85,000, and our estimate for next year is Rs.2,50,000. I hope that this estimate may be somewhat exceeded; but we must naturally take a safe figure. I certainly do not think that the suggestion of the honourable mover, that we should in some way economise in the expenditure on forests, is one that we should commend to the House. As I have said, the Forest Department at present shows a substantial profit, and it is imperative that we should maintain the staff on which the management of that portion of the estate depends. Because the price of timber and *khair* trees happens to fall in one year, there is no justification for our reducing the staff which looks after our valuable forest property in the estate. In fact, that will merely encourage prices, which have already fallen, to go still lower, rather than increase our profits. I hope, therefore, that my honourable friend will not press his cut motion, now that he has heard what the actual position with regard to these forests is.

Khan Bahadur Maulvi Fasih-ud-din : The motion is both interesting and important. A statement has come out of the lips of the Hon'ble the Finance Member this morning that the Government does not make any profit from the cultivated area of the Government Estates. If that is really so, then it should be an eye-opener to the Government in respect of its land assessment policy. When the Government cannot make any profit in respect of the cultivated area of its own villages, how can a poor zamindar be expected to make a profit?

However, coming to the main point, I think that the best way of effecting economy in connexion with the forest administration of the Government Estates is to have one set of officers, either Revenue or Forest, in charge of both the cultivated portion and the Forest portion of these Government Estates, and do away with the double set of staff that is now provided for in the Budget. In that why I think the Government can make a much bigger reduction than even Rs.10,000 proposed by my friend Thakur Muneshwar Bakhsh Singh. It is no use of our reiterating the absolutely hopeless financial condition of these provinces. There is a proverb that "Charity begins at home" and for that reason I hope that the Government will come forward with the magnanimous desire of cutting down its own expenditure in connexion with these Government Estates to the extent of at least Rs.10,000, if not more.

Mr. D. L. Drake-Brockman : Sir, there seems to be a considerable amount of misapprehension regarding the management of these estates and as I am now responsible for them, perhaps a few words from me would

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not be out of place. I will first take the case of the Forest income. Two years ago the management of the estate forests came in for a considerable amount of criticism and the question arose whether they should not be handed over to the Forest Department as a technical department and better qualified to deal with them. The whole management was gone over by a Forest Officer, who produced a complete and new working plan. A conference was held, at which the question was discussed whether these forests should remain under the control of the Deputy Commissioner or should be handed over to the Forest Department. The Forest Department, as a matter of fact, definitely refused to take over the management in their present state. All they were prepared to do was to bring the management of these estates into conformity with the management of their own forests, so as to prevent competition. However, a special officer, Mr. Stewart, was appointed as special Forest Officer of the Tarai and Bhabar Forests to work on the technical side under the Forest authorities and in other respects under the Deputy Commissioner in charge of Kumaun and to exploit these forests to the greatest possible extent in accordance with the working plan. The reason for this divided control was that the tenants of the Tarai and Bhabar estates have very large rights to fuel and grass and other perquisites from the forests, and the district authorities have always considered it incumbent on them to protect these rights because if they do not conserve them to the tenants of the estates, it is very unlikely that they will get tenants to stay in the Tarai and Bhabar. Now, Sir, I admit that the estimated income for the coming year from the forest portion of the estates has fallen by half a lakh. But that, as the Hon'ble the Finance Member has explained, is entirely due to the estimated fall in the value of the trees extracted, and particularly from the *khair* trees for which there have existed hitherto considerable contracts which have now come to an end. That is a matter which we cannot help, as there is competition for the sale of forest produce not only from the reserved forests but also from Nepal, and we can only estimate our receipts on a probable figure. But we cannot cut down our expenditure on the management of the estates; our foresters, forest guards, etc., have to be maintained just the same as if the income was three lakhs. Our roads in the forests for the extraction of timber and so forth, and bridges over streams have all to be maintained. I may inform honourable members that the budget of expenditure has been combed out more than once to see what economies can be made. At the present stage practically the whole staff of the Tarai and Bhabar forests are drawing smaller salaries than those of the reserved forests next door which has led to a considerable amount of heart-burning. Gradually we hope to adjust the scales of pay and so forth. But I can see no prospect, on an examination of the budget, of reduction in the actual expenses of the forest portion of the estates. We can only hope that the prices of wood and timber will go up and so the balance between expenditure and income will increase over the figure that obtained, say, during the last six or seven years, though I doubt whether that figure will again be reached. At one time the price of *khair* trees was very high—something like Rs.13-8 as against Rs.5 at the present day. So much, Sir, for the forests of the estates.

I now come to, what may be called, the agricultural portion of the estates. It has always been the custom, until these estates came under the control of the Board, to speak of the Tarai and Bhabar estates, and to lump all expenditure and income together as if the two portions of the estates were entirely similar in characteristics. As a matter of fact, they differ as chalk from cheese. Soon after taking control of these estates, I asked the Superintendent to divide out the income and expenditure of the two portions of them—the Bhabar on the one side and the Tarai on the other—because from an examination of the figures I had a strong suspicion that the Bhabar was hardly paying its way if it was not actually carried with the Tarai. The examination then made fully bore out my suspicion; in fact, the figures that have been more recently submitted have made the state of affairs appear worse. The Tarai is definitely carrying the Bhabar. The Tarai by itself is quite a financial proposition. It is true that the cultivated area has increased but its income exceeds the expenditure on it by a considerable margin; the latest figures show that the deterioration which undoubtedly set in there after about 1921, and which we think was due to the depopulation following the big influenza epidemic of 1918, has come to an end, and there are now small signs of improvement. The same cannot be said of the Bhabar. Depopulation and so fall of income has definitely occurred there. But the trouble with the Bhabar is due entirely to the irrigation works that have to be kept up there. Cultivation in the Tarai is not necessarily dependent on irrigation, but cultivation in the Bhabar is impossible without irrigation. Last year I made a tour in the Bhabar to see the conditions on the spot. All the major hill streams have embankments of some sort thrown across them in order to tap the water. I was amazed at the extent of these works and wondered what the capital cost could have been. Sir Henry Ramsay constructed the majority of them by various means, but no accounts were ever kept. Anyhow owing to scour which has become worse in recent years owing to the deforestation of the higher hills all the streams are tending to cut round their head works and so the cost of maintenance of these works is enormous. Roughly speaking the maintenance of the irrigation works in the Bhabar costs Rs.90,000 a year, and it seems to be impossible to reduce that figure. In fact we never know what upkeep is going to cost from year to year. My honourable friend who comes from that part of the world lives near Ramnagar and I am sure he knows the state of the Kosi river and the amount of money that has to be sunk in getting water from that river. That is the state of affairs in these estates taken together.

I am afraid the Hon'ble the Finance Member overdrew the picture when he said that the finances of the estates on a whole were in a good way. At present the Bhabar is not paying for itself, due, as I said before, mainly to the enormous charges for the maintenance of irrigation works. At the present moment, in order to check depopulation, we are offering very liberal concessions to tenants to come and take up land in the Bhabar and I am glad to be able to inform members of the Council that many tenants are coming forward to take up land. At the present moment the tenants are coming in only to the neighbourhood

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of the larger towns of Haldwani and Ramnagar but it is hoped that they will spread further afield. As my honourable friend Shaikh Muhanmad Habib-ullah hinted, large areas of sugarcane are being put down and also fruit trees. The ordinary crops grown in the Bhabar are *lahi*, rice and wheat. The *lahi* crops have suffered for two years from insect pest, or rather rust. Anyhow prices are bad at present everywhere, so with one thing or another cultivation in the Bhabar is not a very attractive proposition. Sir, if the present policy of liberality towards settlers is continued, I hope we will gradually be able to work up this portion of these estates into a prosperous condition. There is, however, going to be for the present, I am afraid, a large margin between expenditure and income in the Bhabar owing to the enormous irrigation charges.

Pandit Prem Ballabh Belwal: Sir, I am not prepared to agree with the last speaker in all his remarks and more specially when he said that Bhabar is not paying for itself and that Tarai is carrying Bhabar with it. If that is the decided opinion of the Government I think the residents of Bhabar will be prepared to take responsibility upon themselves and save the Government from running it at a loss. The Government should now be prepared to settle permanently the whole area with the people who are cultivating there at the present time. I am prepared, with full sense of responsibility, to make this offer on behalf of people there that they are quite prepared to take over charge of whole of Bhabar and manage it themselves if at any time the Government thinks that they are losing money on Bhabar. I think it is now to the benefit of the Government to agree to confer zamindari rights and hand over the management in that tract. As far as the Tarai is concerned I have nothing to say; it is a paying source to Government and the Government may retain it by all means.

Sir, as regards the motion moved by my friend Thakur Muneshwar Bakhsh Singh I would have readily agreed to any cut if it had been moved under any other head but as it is a lump cut of Rs.10,000 I would at once ask him to withdraw it. So far as forests are concerned we want that something more should be spent on their improvement. The forests have been exploited to such an extent in the past and they are now in such a deteriorated condition that the cultivators there find it difficult to meet their daily requirements. The difficulties of tenants have been further aggravated for the fact that forest authorities are putting more and more obstructions and hindrances in their way for the grant of free timber, which privilege they have enjoyed from times immemorial. But in any case I would advise him that a lump cut of Rs.10,000 under total allotment would not be quite opportune at this time as there have been going on some schemes of artificial regeneration of forests and we want that forests should improve there. If my friend had moved a cut motion under any sub-head I would have considered it on its merits but as it is a lump sum and if it is carried, the Government will be at liberty to curtail any expenditure under any head and it is not desirable to create such a situation. I would therefore request the mover not to press his motion.

Thakur Muneshwar Bakhsh Singh : Sir, it is only a moderate cut as I want to reduce Rs.10,000 only out of Rs.1,58,000. The reasons which led me to move that cut was that the income had decreased substantially so the expenditure should also go down. But as my friend Mr. Belwal advises me to withdraw it I cannot do anything but withdraw it.

The motion was, by leave, withdrawn.

Pandit Prem Ballabh Belwal : I beg to move that under the entire head, a reduction of Re.1 be made.

Sir, after the first speech of the Hon'ble the Finance Member I felt somewhat depressed to move other cuts standing in my name. However, as it has fallen to my lot for the past several years to ventilate the grievances of the people residing in that tract, I once more venture to put forward the same grievances which I have discussed on the floor of this House from time to time. But at this time I will simply summarise them and would not indulge in discussing them at great length as I had done before and I would feel contented if the Government looked up the past proceedings and took them as the grievances which have not so far been redressed and which have still in our opinion got to be redressed. The first point that we have been asking for the last several years is that there should be a change in the policy of administration. We want a separate experienced officer for carrying out the administration alone, and for the works connected with the canal and roads we must have a separate engineer, but Government has not found it possible to do that. As it has already been fully discussed, I will not discuss it further, but would again request the Government to bear in mind the fact that for the improvement of the management it is desirable that a wholetime revenue officer should have been appointed there.

The next thing is regarding veterinary assistance. For the last several years we have been pressing upon the Government the urgent need of having more veterinary hospitals in that tract and though the Government has been sympathetic in its replies I find that this year, in spite of the fact that last year the honourable the Senior Member of the Board of Revenue and the Hon'ble the Home Member in charge made a definite promise to try to increase the provision for veterinary hospitals, there is a decrease of about Rs.400 in the provision in this year's budget. This is very disappointing indeed. The provision for providing more veterinary aid to the tenantry has been reduced instead of being increased.

The other thing I have to say is about the supply of pure drinking water and the stamping out the malaria. Sir, I would like to inform the Senior Member of the Board of Revenue that this year the Estate authorities have been pleased to construct some *diggis* and it was said that these *diggis* will go far to improve the water supply, but, Sir, it is not a fact. The *diggis* that have been constructed are simply reservoirs in which the same dirty water from canals will be deposited. I do not see how they can improve the water supply and in the opinion of public concerned the money has not been properly utilized. I have thought over this matter many a time how these *diggis* on which so much Government money is being spent can improve the water supply, except that whenever there is a breach in the canal they will make a sort

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of reservoir, but the water which will remain deposited there for a very long time will become stagnated and will not be fit for use. The water is not filtered there and unless it is filtered, how is it possible to use it with advantage in preference to running canal water? So there is no appreciable improvement in this direction. The problem of malaria remains as acute as ever before and as far as Bhabar is concerned no efforts have been made to combat the disease.

The third and the most important thing is that the Government has not so far been able to establish any experimental agricultural farm or seed depots there. There was such a proposal last year, but since then Government has slept over it. I think in such a big estate like that of the Tarai and Bhabar Government Estate the absence of any experimental farm is most disappointing. There ought to have been a decent and well equipped experimental farm with a view to give lessons in agriculture and give practical demonstrations with regard to improved varieties of implements and seeds. It is very necessary that we must have experimental farms in the midst of the estates and Government should take up this question without delay.

Another thing which I wish to raise is the provision of marketing facilities. The Senior Member of the Board knows it fully well that the people there are in great distress and find it very difficult to market their produce, especially sugarcane. They grow these crops after spending large amount of money and labour, and when they cannot dispose of the produce in time to pay their rents they are getting discouraged. I think that Government should look into this matter.

Then, Sir, the remissions that have been granted are inadequate. There have been complaints on the part of the tenants in this behalf, that they are left with no or very little profits to meet the present demand and the truth of the complaint can be better judged from the rent and revenue outstanding against the tenants there in spite of coercive processes which are issued in large numbers. At the present time when the market rates are still very low they are not in a position to save anything and their economic condition is going from bad to worse. The question of remissions has therefore got to be looked into. These remissions have so far been given on a flat rate basis, whereas in my opinion they should be given circlewise and villagewise, because during the last settlement the enhancement was very large in some villages, while it was low in some.

Then, as regards settlement. I submit that it is overdue. The zamindars are not in a position to pay the revenue fixed at the last settlement, and the remissions that are granted are not on an adequate scale. They want that reasonable rates of revenue should be fixed now, having regard to the present market rates of agricultural produce. There is no reason why Government should withhold settlement from this tract, which is now overdue.

As regards the elephants and gardens, I, after what has been stated by the Hon'ble the Finance Member, would like to say only that in the present state of finances their number should be reduced further.

I hope all these points will be looked into by the Senior Member of the Board who has been taking a lot of trouble in touring that tract, with a view to improve its present condition.

Mr. D. L. Drake-Brockman : I hope to give a reply that will satisfy the honourable member on all the points that he has raised.

The first point was regarding the veterinary establishment in the estates.

Pandit Prem Ballabh Belwal : The change of policy in the estates.

Mr. D. L. Drake-Brockman : I am afraid I did not catch that. The Hon'ble the Finance Member will deal with that. I will deal with the details. We have been very unfortunate regarding veterinary establishment. With some difficulty I got the Government to increase the local allowance given to these officers last year, but both our inspectors resigned, as they thought the terms were not good enough; and we are now reduced to one assistant and two compounders; and so far we have not succeeded in getting any other officers. The Director of the Civil Veterinary department finds it very difficult to recommend men to us because they will not go to the Tarai on such terms as we have been able to promise them or get Government to sanction. However, I have succeeded in getting Mr. Egan to take an interest in the whole problem of veterinary affairs in the Tarai and Bhabar, which I believe have a really great future before them in respect of cattle breeding and dairying, and he is coming to discuss matters with me very shortly. I hope also to get this question of veterinary assistants in the estate settled. But I am pretty certain that in order to get veterinary officers of the requisite standing to live in the Tarai and Bhabar Estates we shall have to give them larger local allowances than we are offering them at present.

The next point the honourable member raised was as regards *diggis*. If the *diggis* he is referring to are those proposed to be made in the neighbourhood of Ramnagar, I may tell him that they are being made, I understand, at the expense of the money placed at the disposal of the Deputy Commissioner in charge Kumaun for rural reconstruction. Their cost has not been charged to the budget of the estate. There was another scheme of which perhaps he is not aware, but which I may mention for his information, of supplying the villages south of Haldwani with *diggis*. At one time there was a scheme to pipe water down to all these villages from the springs at Kathgodam at a cost of 4½ lakhs, but there was no hope of getting it sanctioned, even if the supply of water was sufficient for it. The only solution of the supply of potable water to the villages near Haldwani was a supply by means of *diggis*, and the covering up of the canal that brings water down through the town of Haldwani in such a manner as to prevent contamination. What has happened to that scheme I have not been able to discover, although I have made inquiries. Meanwhile (this is also for his information) I understand that the Deputy Commissioner in charge has prepared a scheme to supply water to the villages in the Bhabar to the north of Haldwani, by means of a pipe from the springs at Kathgodam, which water will be quite pure I think. As the money spent in the construction of *diggis* comes from the rural development fund, the question is strictly irrelevant here, but I mention for his information. I understand that the water supplied to the *diggis* south of Ramnagar will be served by canals, which will be protected in the same way as we

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hope to protect water to be supplied to the *diggis* south of the town of Haldwani, but, I do not know exactly; because I am not in control of the matter, the funds being at the disposal of the Deputy Commissioner in charge of Kumaun.

The next question was as regards farms. The charges levelled by my honourable friend are justified, I am sorry to say. Last year I received the assent of Government to the starting of two farms, one in the Bhabar and one in the Tarai mainly for testing out the kinds of crops which are most suitable for the Tarai and Bhabar and for multiplying up the requisite seed and so forth. Unfortunately both the farms have gone west owing to financial stringency. I had to cut out the provision in the budget for them. If the honourable member does not know he will perhaps be pleased to hear that, nothing daunted, we have managed to come to another arrangement. We have taken up an area of 35 acres south of Haldwani and I have given sanction to its levelling and fencing. We are going to lease it to the Co-operative Bank of Haldwani for demonstration and agricultural purposes. We are entering into an agreement with them to do what we hope the Agriculture department would do.

The next question he raised was as regards marketing facilities. This matter was raised in a conference at which the honourable member was present, in Ramnagar during the month of May last. A large number of subjects was raised at that time which I said I would consider—and I did consider as many as I could—but I went on leave very shortly afterwards. I must plead guilty to the charge that I have not been able to take this particular subject up. I hope he will accept my assurance that I will now take it up and see what can be done. It is, as he says, a very important matter.

The next matter is the question of remissions, with which is allied the question of settlement. As soon as the Amending Bill was mooted before the Council, I addressed the Deputy Commissioner in charge, suggesting that in view of the approaching revisions and of the re-opening of settlements in the rest of the Province the question of doing much the same in the Tarai and Bhabar Estates should be taken up. We discussed the matter further at the Kumaon Conference on the 24th February, and went into the whole subject. I have not yet got the Deputy Commissioner's reply, and I cannot yet say what will be done. But I can assure the honourable member that what he has said will be sympathetically considered. We are now considering whether it is worth while resettling the Kham Estates, because it will cost a certain amount of money and unless the results are commensurate with the expenditure, we could probably attain the same result by executive order. As regards the settled and *mustajiri* villages—I will not commit myself to anything yet but probably they will be re-settled as their term of settlement is up. I hope I have satisfied the honourable member that the Board of Revenue has been pretty quick off the mark and has not been idle.

Shaikh Muhammad Habib-ullah: Sir, I was always under the impression that Government could take pride in the fact that they have

got an estate called the Government Estate, and that if any of the land-owners wanted to see as to how that Government estate is run, he should go there and see the model of the most ideal arrangement for the comfort of the tenants compared to the low expenses of its management. But, Sir, it appears from today's debate that until Mr. Drake-Brockman arrived at the scene only recently all was not well. This is not a happy state of affairs in a tract of which the tenantry is placed directly under the care and control of Government agriculturally. My friend the mover of the motion raised four or five points and in reply to every point Mr. Drake-Brockman says that he is sorry that it has not yet been done and that it has not been even possible to get a veterinary man because no man will go there unless he gets a high salary which he wants on account of the bad climate. Supposing there would have been an independent owner in charge of that Estate he would not have gone to apply to the Civil Veterinary department for a veterinary doctor; he would have made an appointment direct. Why rely on the Civil Veterinary department to draft a man for employment there? If it is an estate of which the management is in the direct control of the Government, it should be self-contained; every arrangement should be made from the point of view of the interest of that estate and that estate alone. It appears that there is a division of work there: there is the forest under the forest officer; then there is the cultivated area managed by a manager who is also an engineer. Well, if a manager knows the work of an engineer, so much the better. Now take the case of any other estate, for example the Balrampur Estate. There is Mr. Waugh sitting there. He was the manager of that estate. Was he an engineer or a forest officer? No. But he was the head of the whole estate management and everybody was working under him. He was working satisfactorily there; he could get his own veterinary doctors; he could draft his own engineer; he could get his own agricultural experts; he could get his own forest staff; and then he had his finger everywhere. It appears that there is something wrong in the administration of Tarai and Bhabar estates and there is such a division of work and management that harmonious working is not possible under the present system. This is not a happy state of affairs at all and I hope Government will seriously look into the matter and make it an ideal place where they could take us and say, "Come along if you want to see how tenants can prosper, how everything can be found for the poor agriculturists. There is an arrangement of education, hospitals, veterinary; everything is there. See and try to follow the management which is being carried on in those estates."

Pandit Prem Ballabh Belwal: My friend Shaikh Habib-ullah Sahib has given a suitable reply to the speech of the Senior Member of the Board of Revenue when he said that he should have invited us and shown us an ideal estate there. But from the discussions and speeches by Government members the true picture of the condition prevailing in these estates has been revealed and my friend has rightly remarked: "It appears that everything is not well there." I would further go than this. It is not even "not

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well but it is very miserable and worse than in any other estate anywhere else in the province. It is a matter of great regret that it being a Government estate things are bad in that place. I have nothing much to say. My only object was to draw the attention of the Government to the grievances which have been ventilated in this House from time to time and they are many. I would cut short my speech and would only say that the honourable Senior Member takes more and more interest in these estates and makes them ideal. I do trust that the present state of things will not be allowed to continue.

I gather from the speech of the honourable Senior Member that Government are really anxious to improve the water supply in that tract. If it is so I would like to suggest that they might try the popular tube-well boring system. But the ordinary method is quite unsuitable for reasons of boulders and rocks being found inside the ground. I understand that there is an apparatus for boring rocks, which has been obtained recently by the Government from foreign countries and it is now with the Agricultural Engineering department. At present I am told that this apparatus is being worked in the Jhansi division. It might be obtained on loan from there and tried in the Government estates. If it proves a success, a great progress could be made in pure water supply and cultivation in that tract.

On the question of settlements I am not at all satisfied with the speech of the honourable the Senior Member. It has been often stated that the zamindars cannot afford to pay the old rate of revenue. It is a pity that our Government takes up settlement with the sole object of enhancing revenue and it is with that end in view that the settlements should be taken up, and not with a view to increase the revenue. The settlements should be undertaken with a view to adjust the revenue as the present circumstances demand.

With these few words I beg to withdraw the motion.

The motion was, by leave, withdrawn.

Pandit Shri Sadayatan Pande: I beg to move that under sub-head Management of Government Estates—Dudhi Estate, a reduction of Re.1 be made.

The object of this motion is to draw the attention of the Government to the manner in which the tahsildar and other officials of the Dudhi estate make a good deal of undue interference with the residents of that estate in the exercise of their legitimate rights. I would cite a very recent case of interference by the tahsildar in the matter of the building of a small temple. There is a poor Brahman, named Har Prasad Upadhyaya, who has managed to collect bricks for a temple by means of private subscriptions. The tahsildar wanted the bricks for some purpose of his own or for the purpose of some other building. Whether it was a Government building or some other building I am not certain. The tahsildar demanded the bricks from the Brahman. He said that he had been able to collect them with great difficulty by means of subscriptions, and was going to build a small temple in his own compound.

Khan Bahadur Maulvi Fasih-ud-din : In what district?

Pandit Shri Sadayatan Pande : In Dudhi estate in the district of Mirzapur. Now, Sir, there is another man who lives about 100 feet from the Brahman's house. This Muhammadan, at the instance of the tahsildar, I am told, made an application for refusing permission to build a temple to the Brahman as that was a place where the *tazias* were kept. The fact is that no *tazias* go that way. They go by another way which is about 100 feet from the site where it is proposed to build a temple. The result, however, is that the poor Brahman has not been allowed to build the temple, and the tahsildar is making undue interference in the matter. I do not know whether in the matter of building a house or temple on one's own land such an interference should be made by the tahsildar. Undoubtedly, that is a Government estate, and the land belongs to Government. But that particular plot has been let out to the Brahman, for which a *patta* has been executed, and now he is the proprietor of that land, I mean Pandit Harprasad Upadhya. So, Sir, my object is that the Government should direct their officials not to make undue interference in such matters in Dudhi estate.

The Hon'ble the Finance Member : Sir, I wish to take this occasion for entering a protest against the practice, which is much in evidence today, of putting in cuts at so late an hour that it is impossible for the Government to make any inquiries about them or to obtain any material for giving explanations or answers to those cuts. Take the instance of item 6-B. The notice was received at 4.30 p.m. on the 16th March. That is to say in the afternoon yesterday after the Council was over this cut was put in and it was sent to the Secretary in the course of the evening. He probably received it at about 8 p.m. by which time the whole office was shut and it was impossible for us to obtain any information in time to give an answer the following morning at 10.30 a.m. Therefore, I, appeal to the honourable members of this House, if they seriously desire Government to do their best to give them the information which they stand in need of, to give us a reasonable amount of time in order to enable us to make inquiries.

In the present case which concerns an alleged interference by the tahsildar of Dudhi in a matter where a certain Har Prasad Upadhya apparently wished to build a temple on land which he held on an agricultural lease, I think that the tahsildar was probably well advised to take the action that he did. In a case of that kind it is impossible for us to make inquiries and to give information without sufficient notice. It takes at least a week to get information from the officials concerned. Therefore, I, regret I am unable to give any information in reply to the honourable member's cut.

The Hon'ble the President : The Hon'ble the Finance Member would be perfectly within his rights if he objects to such motions being made.

The Hon'ble the Finance Member : Certainly, Sir, I will do so in future.

Pandit Shri Sadayatan Pande: Sir, I am sorry to hear these remarks from the Hon'ble the Finance Member. I must also make a protest as regards the remarks levelled against me and other honourable members. The fact is that on the morning of the 12th I was approached by the individual concerned at Mirzapur and I immediately posted a cut motion to the Secretary, Legislative Council. There was absolutely no delay on my part. Without knowing the merits of this particular case the Hon'ble the Finance Member should not have levelled this sweeping protest against all the members of this House.

As the case has already been cleared up by me, the Hon'ble the Finance Member is in a position to say whether the action taken by the tahsildar was justified. My point is whether the tahsildar could unduly interfere in such matters. To this point the Hon'ble the Finance Member can give an offhand reply; the case is not a *sub-judice* one. Even if I had given notice ten days earlier what inquiries could the Hon'ble the Finance Member make in this particular matter? I say that the man holds a *patta* for a particular plot of land which is enclosed and over which he has built a house and it could certainly not be meant for agricultural purposes. The Finance Member thought that the land was held for agricultural purposes. The land situated as it is, is not meant for agricultural use. All that the patch of land could be utilized for was to build a temple or a house or something of that kind. In this particular matter I thought the Finance Member would give a considered and frank reply, and would give no cause for us to feel sorry.

The Hon'ble the President: Does the honourable member want to press his motion or to withdraw it?

Pandit Shri Sadayatan Pande: Sir, I am awaiting a reply from the Hon'ble the Finance Member on the point I have made out.

The Hon'ble the Finance Member: Firstly, let me assure the honourable member, who has just sat down, that I did not intend to cast a general aspersion on all members of the House when I said that we have had a number of instances of cuts being put in at a very late hour. The cuts to which I referred are nos. 1, 1-B, 6-B, 8-A and 18-B. These are the only ones which were put in late. As regards others, sufficient time was given to enable Government to collect the information that is demanded. Secondly, I am interested to hear from what the honourable member has just told us that no sooner had he received a letter from or was approached by his friend, Pandit Har Prasad Upadhyaya, than he proceeded to post a cut motion to Lucknow without satisfying himself as to whether there was a word of truth in the allegations made or not. If he wants Government to adopt similar methods in regard to inquiries, we shall have a pretty state of affairs produced in the administration. He asks us what Government would have done if they had ten days' notice to make inquiries. We should have at once inquired from the District Officer and Tahsildar what the facts of the case were, and why, if any action had been taken, as is alleged by Pandit Har Prasad, it was taken. We should then have been in a position to inform the House of the full

facts as revealed by our inquiries, and if necessary, to pass orders so as to put any things right that did not seem to be right. That I should be able at 5 minutes' notice to give an answer to this question is a sheer impossibility; and I think honourable members will agree with me that it is asking Government to perform the impossible if they are not given 24 hours' notice in which to make even telegraphic inquiries. I do not object to the cut. If it had been of a general nature, it might have been possible to give some sort of reply. But in this particular matter of detail it is impossible for me to reply; and I hope that the honourable member will withdraw his cut. If he puts a question in the ordinary course I shall be very glad to make inquiries and give him the information that he wants.

The motion was, by leave, withdrawn.

Thakur Jang Bahadur Singh Bisht: I beg to move

The Hon'ble the President: Does the honourable member want to make a reduction in respect of charges on account of land revenue collections?

Thakur Jang Bahadur Singh Bisht: Yes, Sir.

The Hon'ble the President: Has he ascertained what the item means? What exactly does he wish to say about it?

Thakur Jang Bahadur Singh Bisht: I am referring to the grazing charges.

The Hon'ble the President: I admit that so far as the budget goes, it is rather mistifying. But I have asked the Revenue Secretary as to what this item is composed of and he tells me that it is composed of 10 per cent. that are paid to some lambardars in Moradabad, a little to the Rawal of Badrinath on account of land revenue collections in certain villages of Government, and some amount paid to the Maharaja of Benares, all in respect of villages owned by Government. So these are the only three items which constitute the sum of Rs.4,619. In that circumstances I do not think the honourable member would be justified in moving this cut here. He can bring it somewhere else. I can acknowledge that the honourable member could not help it. The item is rather mistifying. But he could have ascertained from the Government officers concerned.

I think the same remarks apply to 8-B in the name of Raja Jagannath Bakhsh Singh.

Raja Jagannath Bakhsh Singh: Sir, my object in moving this cut is to suggest to the Government to take more districts under revision scheme than under settlement. The total of this item will be the right place to move this cut.

The Hon'ble the President: Notice of this was given late. Is there any objection to its being moved?

(No objection was raised).

The Hon'ble the President: It may be moved.

Raja Jagannath Bakhsh Singh : Sir, I beg to move that under sub-head Survey, Settlement and Record Operations 1. Pay of officers a reduction of Rs.10 be made.

As I have just stated, my object in moving this cut is to suggest to Government to take more districts under the revision scheme than under the settlement. Sir, the honourable members would remember that about a week or ten days back the Government introduced a Bill, which only a few days ago was passed into law. In connection with that Bill we considered these two points. In fact these were the two principal points underlying that Bill. The Government brought that Bill in order to put on regular basis districts where remissions were given under executive orders. The second object of the Government in bringing forward that Bill was to start settlement operations in certain districts where they were held up on account of the economic depression. If the honourable members will turn to page 71, volume II, of the Budget, that has been supplied to us, they will find that under Survey, Settlement and Record Operations the details that are given are "8,51, for resettlement of the five unfinished districts and revision of settlement in five other districts in the plains." So I take it that Government propose to resettle five unfinished districts and revise only five districts with a view to put them on regular basis. I think I am correct to understand that there are more than five districts to be revised—perhaps fifteen. I want to know how long it would take to revise a district. If it takes one year, it would take about three years to put the fifteen districts on a regular basis. The House is aware that remissions were sanctioned under executive order and it is now proposed to put those remissions on regular basis. My point is that that action was taken by the Government by one stroke of the pen—by one order. Revisions were made in the fourteen or fifteen districts. Now, if the Government propose to distribute their revision scheme over three years there might be a large difference in the prices of the various districts during that time. I know that it is not possible to take all those fourteen or fifteen districts at once. I, therefore, suggest that as far as possible the largest number of districts may be taken up at once, and, I think, by this suggestion, I shall not be putting the Government to any loss. I know that perhaps by starting settlement operations and completing them Government may gain more money than by putting the districts on a regular basis, but then the object of the Government is not to gain a few thousand more. I think it would appeal to Government more than to anybody else to put their own settlement operations on a regular basis, and I think the Leader of the House will have no difficulty in accepting the principle underlying my suggestion.

Shaikh Muhammad Habib-ullah : Sir, before launching upon this scheme officially the Government so kindly discussed the matter informally with those concerned: I mean the land-owners of the Province of Agra and those of Oudh. I think, Sir, during these discussions we came—I am talking of the people of Oudh—to a definite conclusion that since it is a new measure we should move into the matter carefully, and

it was, therefore, our opinion that we should wait and see how the revision of rent is made in the districts which are to be re-settled. After all, re-settlement is a thing which the Government can take up at once because of the period of settlement having passed in many districts long long ago, and we should watch and see how the settlement officers deal with the rent, or rather remodelling of the rent, or speaking more accurately the reducing of the rents of statutory tenants as they exist now; so that we may get some idea of the way in which the process of fixation of the new rents will be adopted and, having an idea of that experiment, we will then be able to say how the revision may be taken. I am only repeating the wishes of the taluqdars with whom I have conferred. I am not here, Sir, as a representative sent by the British Indian Association, and in that respect, my friend, Raja Jagannath Bakhsh Singh has priority over me. I am certain that when this subject was being discussed in the conferences—I think Raja Jagannath Bakhsh Singh was perhaps not present when that decision was taken, but, I think, the Raja Sahib of Salempur was among those gentlemen who discussed it and he is present here—it was held that it would be better if the settlement work was taken up at once. I still hold that view, and think that as many districts as can be taken up at one time should be taken up by the Government for the purpose of settlement. I do not mean that revision work should be stopped altogether, but what I mean is that priority should be given to the work of resettlement, and we shall then be in a position to follow the method which the Settlement Officer will adopt in adjusting rents to the present prices. Sir, having that view in my mind, I think Raja Jagannath Bakhsh Singh will agree with me that the revision work should not be given priority over the resettlement work.

Khan Bahadur Maulvi Fasih-ud-din : I am sorry to say that I have to oppose this token cut of my friend Raja Jagannath Bakhsh Singh. That cut is not justified either on the ground of equity or on the ground of convenience. It is not justified on the ground of equity because there are 19 districts in these provinces out of 48 in which the term of settlement has expired long ago. In some of them the settlement has become 34 or 35 years old while in one or two districts the term expired about 6 years back. So the Government is perfectly within its rights to start resettlement of these districts without any objection on the part of the zamindars concerned. Now I come to the question of convenience. In my opinion we must know first of all in what way the new scheme of the Government about basing the circle rates on current prices works out in the districts in which settlements are due. We will then be in a position to discuss not only the final assessment proposals but also the rent rates fixed for the various districts which will be newly settled. There is no provision in the law about discussing the rent rates fixed by the settlement officer in the districts the settlements of which are to be revised, but there is a specific provision in the law which enables this honourable House to discuss the rent rates fixed by the Settlement Officer and the assessments in the newly settled districts. That will be a great advantage to us. But we will be in the dark as to the extent of the

[Khan Bahadur Maulvi Fasih-ud-din]—

net assets which will accrue to the zamindars in the districts the settlement of which is to be revised. Under the law the Government has not to give any estimate of the rise and fall in the rents and the land revenue before they take up the revision of the settlement of a district; but regarding the districts which are to be resettled the Government is bound under the existing law to give a forecast of the increase in the rents and in the land revenue and that will be a very great advantage to all of us and we will then be in a position to know how this new scheme of basing the rise and fall in rents on the circle rates is to be drawn up under the new formula which is propounded in the amending Act which we have just passed. For that reason I think that as a matter of policy and as a matter of convenience the more the number of districts are taken up for the purposes of settlement the better it will be for us and the more we will be in a position to know the actual result of the working of the formula which the Government has now propounded. For that reason, I think, it will be safer for all of us to have those districts settled first in which the settlement period has expired and to take as few districts as possible for the purpose of the revision of their rents and land revenue.

Sir, the most difficult question which arises in connexion with this scheme is how to adjust the rents and land revenue of those districts which are not taken up immediately either in respect of their resettlement or in respect of the revision of their settlement. The question which naturally arises is whether this defective scheme which has been admitted to be defective and unsatisfactory by the Government will continue to remain in force in the case of districts which are not to be taken up in the first or even in the second group. Then what will be the arrangement for adjusting rents and land revenue during the interval? I will discuss this question later on when we come to the general discussion about the land revenue policy and the settlement policy of the Government. But I would like to mention here that I suggested a scheme to the Hon'ble the Finance Member which, I think, was approved of by Mr. Drake-Brockman and the Hon'ble the Finance Member said that he would consider that question fully later on. I hope that when I speak on this subject again he will come out with some cut and dried reply about the scheme which I have suggested.

The Hon'ble the Finance Member: Sir, it appears that there is a difference of opinion between the honourable members on the subject of this cut. The mover of the cut expressed a desire that Government should move more quickly in dealing with the districts in which settlement is only to be revised. There are 17 districts which come under that category and as my honourable friend the member for Budaun stated, there are 19 districts in which the period of settlement has expired and resettlement is now either due or overdue. Well, Sir, Government's provisional decision has been to follow a course intermediate between those two opinions. They have decided in the coming year to take up the resettlement of the five districts in which settlement was in progress, but was stopped in 1932 at the time of the great fall in prices; and at the same time they have decided to undertake revision of

settlement in five other districts. Government consider that that is about all the work which it would be safe to undertake at the outset, partly in view of the great need for obtaining more information from these operations as to a large number of important matters connected with the question of rents and the revenue demand. They also consider that the taking up of operations in ten districts is likely to exhaust very nearly the whole supply of experienced settlement officers. Until some officers have received training as assistant settlement officers or revising officers, it will be difficult to extend the number of districts in which operations can be taken up. I may explain to honourable members that originally Government's idea with regard to districts in which settlement was to be revised was to allow a period of two years for this process; but during those conversations, to which my friend, Shaikh Habib-ullah, referred just now, the opinion was strongly expressed that the period of revision should, if possible, be reduced. Government decided that in order to effect a considerable reduction in the period they would appoint two revising officers per district, and thus it is hoped to reduce the period necessary for that operation to one year in the case of each district. That means we shall have ten officers in five districts for revision and five settlement officers with probably assistant settlement officers in the other five districts. That means some twenty officers straightaway. Some of them will no doubt be under training; but it is clearly essential to have at least one experienced officer in each district. Therefore, whatever Government's desire may be to expedite the process of settlement and revision of settlement, they do not feel disposed at present to ask this House to vote a larger sum of money than that which is included in the budget in order to carry it through more rapidly than is at present their intention. At the end of this year we shall have far more experience and information on the whole subject, and no doubt it may be found necessary to revise our ideas and perhaps to prepare a different programme; but until we have that information I think we shall be best advised to stick to our present proposals which are revision of settlement in five districts and concluding the resettlement of the five districts in which that operation is at present under suspension. I hope, Sir, that this will satisfy my honourable friend and that he will withdraw his cut.

Raja Jagannath Bakhsh Singh: Sir, it was not unlikely the Government did not lose sight of the rift in the non-official lute, but I am glad that they did not avail of points raised in opposition to my contention, otherwise I am sure they would have been walking on slippery grounds. Nobody could successfully contend that it is more important to start settlement operations than to put the recently settled districts on regular basis. The position of the Government as I understand is this, they merely say that they are proposing to spend a very substantial sum in one year. Considering the circumstances of the present times they say that they do not propose to spend more than this sum in one year and that the districts that they are taking for resettlement were already partly settled. Surely, Sir, in those districts the case is much stronger. They say that they want to finish the unfinished task in those districts. They also suggest that they propose to double the staff

[Raja Jagannath Bakhsh Singh]

in the revision scheme and that in place of one revising officer they will have two revising officers; and thus they will finish one district every year. They say that these are their reasons which should prevail with us. I do consider the case of the Government, and it is not with a view to press this cut that I have moved it. I think—and Government also say this—that this is just a trial scheme for one year, and when the budget is before the House next year if those honourable members who are speaking today are fortunate enough to come back they might be able to express their opinion on the final scheme. These are the points to be considered.

Before I sit down I may just say one word in reply to the two honourable members who followed me. As regards my honourable friend from Sitapur-cum-Kheri, for whose opinions I have no little regard both in this House and outside, I may tell him that although I am a representative of the taluqddars and have been such for more than 15 years. On every question I do not give an opinion formulated as a taluqdar. I do not think I shall be justified in expressing my opinion on every question in this House as if I were only a taluqdar and nothing else. I am speaking on this question merely as a member of the House, from the point of view of how the scheme would affect the province of Agra and the province of Oudh, and the zamindars and others. As regards my friend the member for Budaun, for whose opinions I value, particularly in settlement matters, I think he has burnt midnight's oil on the subject.

Nawabzada Muhammad Liaquat Ali Khan: He uses electricity.

Raja Jagannath Bakhsh Singh: I am glad he uses electricity. However, as I have said although I value his opinions on revenue matters, I think he will have to reconsider the matter from the points of view stated by Government. They have not accepted his case that settlement should have prior claim. Nor am I prepared to accept it. I may say that if the Bill that was introduced in this House was merely to start settlement operations in this province, I doubt very much if the Bill would have been passed in this House. I think the honourable members who supported that measure did so more because the Government were going to put the districts on a regular basis than to start settlement operations.

Khan Bahadur Maulvi Fasih-ud-din: On a point of personal explanation. What I meant to say was that this honourable House possesses a greater statutory control on the operations of settlement than on the operations of the revision.

The Hon'ble the President: It is nearly quarter past one.

Raja Jagannath Bakhsh Singh: I do not want to proceed further. I stated so much just to state the importance of the question as to whether settlement is more important than revision. I do not think that the position as stated by the Government is such that I should press the motion.

The motion was, by leave, withdrawn.

Rao Krishna Pal Singh: I beg to move that under sub-head Survey, Settlement and Record Operations—Total, a reduction of Re.1 be made."

I will not raise the point of introducing the scheme of exemption and graduation in land revenue as this does not seem to find favour with the members of this House. I would, therefore, only suggest that at a time when settlement and resettlement are the order of the day, the case of small zamindars should not go by default in this House. When districts are being resettled and when the remission of land revenue and rent are being revised we the representatives of the cultivators and zamindars should not forget the case of the small zamindar who pays an unduly heavy tax to the State in the shape of land revenue. It is but just that a man who has a very limited income, a man who cannot very well afford to meet the necessary expenditure on himself and his dependants should be made to part with almost half the income which he derives from his land. I therefore hope that in this scheme of settlement and resettlement their case will be fully considered by the Government. Similarly, Sir, I would this time draw the attention of Government to the condition of small tenants, I mean tenants who possess holdings which cannot be termed as economic holdings and which do not yield enough profit with which they can incur expenses on their necessities. I think, Sir, such tenants who cultivate very small holdings should be treated as a separate class and the rents realized from such tenants should not be on the same scale as those realized from the bigger and more prosperous tenants.

Another suggestion, Sir, which I would like to place before the House is that an attempt should be made to bring the rent of different kinds of tenants on a more uniform level. We know, Sir, that the modern rents are only a modification of rents which in olden days were collected in kind. Therefore, Sir, the system which was very fair in olden times as regards the proportion of rent to the yield of a certain plot is not exactly the same under the present system of rent in cash, where some of the tenants are treated in a very unfair manner. According to the old system, Sir, a tenant was supposed to pay a fixed portion of the yield and that he paid in kind; whereas now after rents have been converted into cash he has to pay a certain sum of money every year, whether he gets the same amount of produce from his land or whether he gets more or less. Another discrepancy . . .

The Hon'ble the President: The Rao Sahib can continue after lunch.

(The Council at this stage adjourned for lunch at 1.15 p.m.).

(After recess the House re-assembled at 2.5 p.m. with the Deputy President in the Chair.)

Rao Krishna Pal Singh: I was trying to suggest that the rates of various kinds of tenants should be brought on a more or less uniform level. What I mean by this is that rates of occupancy tenants, rates of statutory tenants and rates of other kinds of tenants which are found in Oudh and Agra should be brought on a level which would be

[Rao Krishna Pal Singh]
almost the same. At present we find that occupancy tenants and the tenants with permanent tenure derive two distinct advantages; that is, they pay much lower rates than the rents which are paid by statutory and non-occupancy tenants and then they have a permanent kind of tenure, whereas the statutory tenants pay higher rents and are also liable to be ejected in a shorter period. Therefore, statutory tenants, suffer from two disadvantages. This, as every honourable member will see, is very unfair and therefore we should change the system so that at least the tenants of the latter class, that is, the statutory tenants, have to pay a little lower and a reasonable level of rent.

Sir, only the other day I noticed in a village that, on an area under cultivation of sugarcane, occupancy tenants paid as low a rent as ten or twelve annas per bigha. In different villages the statutory tenants placed in similar circumstances would probably pay many times the rent which is paid by these tenants, and I am sure that honourable members will agree that the rent of ten or twelve annas is very liberal when a rent of four or five rupees is paid for the same kind of land by a different class of tenants. Therefore it is only just that we should try to remove this very great difference between the rents of the different classes of tenants. Therefore what I would suggest is that during re-settlement and revision operations which have been proposed under the new law we should try to ascertain, as far as possible, as to what proportion the rents paid by tenants bear to the actual yield in the area. After we have ascertained this it would only be possible to remove the differences which are so glaring. I am not acquainted exactly with the settlements which are prepared during the settlement operations, but I think, Sir, a little alteration in the settlements would achieve the object which we have at heart. I have looked at all Government publications in order to find out what exactly is the proportion of rents to the yield of any particular areas. Barring a few exceptions where an intensive survey of the villages by independent economists has been carried out, these figures are not available. I hope, Sir, that an attempt will be made in future to get this information.

Mr. A. A. Waugh: The sympathy of the honourable member for Etah for the small zamindar and for the hard-pressed tenant is very well known to this House, and I am sure that the House and the Government fully sympathize with what he proposes in the way of special consideration for small zamindars and for tenants who are hard-pressed. But before giving the honourable member an assurance that settlement officers will do all in their power to treat the small zamindar and the hard-pressed tenant as leniently as possible, I think, it is only fair to this House to point out that the law as it is at present shows considerable sympathy for the small zamindar. During the last thirty years there were various Government orders, enjoining in one way or another special consideration for the small pattidar. This legislature in 1929 not only endorsed what had previously been done by executive orders, but it enlarged the concessions made to the small zamindar. It was provided that in valuing his land the rates applied should be specially

lowered on account of his proprietary cultivation. In the case of Agra districts that makes a very considerable difference, as honourable members from Agra districts will realize, because the cultivation of proprietors is valued at the rates fixed for occupancy tenants, and as is well known and as the Raja Sahib has pointed out, the rents of occupancy tenants are very much lower than the rents of statutory tenants. In Oudh the Settlement Officer must immediately make a 25 per cent. reduction from his rent rates when he is valuing the land of proprietors. When they cultivate their own land a further reduction must be made from the valuation ranging from 15 to 30 per cent., usually 25 per cent. On the top of all that the law, as amended in 1929, also enjoins on the Settlement Officer that he must not assess at the normal rate when he is dealing with petty proprietors, and gives him great liberty to reduce the percentage that he takes as revenue to a percentage very far below the normal percentage. In the eight districts which were last settled I think an examination of the rent rate reports and the assessment reports will show that as regards consideration of petty proprietors the Settlement Officer did his very best to carry out this law faithfully. I have myself done four years of settlement, and in the districts of Budaun and Meerut I have made calculations of the discrimination involved by these concessions to petty proprietors, and I came to the conclusion that in many cases, perhaps in the majority of cases, the petty proprietor was only paying as revenue half the proportion paid by landlords whose assets consist only of rents. I mention these points not to oppose special consideration of the petty proprietor, but rather to emphasize, what I think is sometimes overlooked, that this House has already gone a very long way in showing to the petty proprietor the consideration which he undoubtedly deserves. I have no doubt that one great advantage of resettlement or revision operations now is that in those districts in which special consideration did not apply in the past it will now apply in the course of settlement or revision—a point which should be borne in mind when considering whether the present proposals are going to do good to the petty proprietor. I think they most undoubtedly will.

The honourable member's second point was as regards the uneconomic holdings of certain tenants. There is no denying that there are such holdings. They may have been the result of intense competition for land which happened to fall vacant or they may be uneconomic because the tenants are paying high rents for very precarious tracts, which they will be able to pay if the monsoon is a good one and which they will not be able to pay if it is not good. In all modern settlements special efforts are made to see that apparently rosy rents on such uneconomic holdings are not recorded as the real steady payable rents, and we make very great deductions when considering what one may call "paper" rents. That can be done by allowing for short collections more than what is usually allowed, and I think that in the precarious tracts in these recent settlements it will be found that extremely liberal allowances were made in the knowledge that rents of precarious areas could not be collected in full. This has become all the more necessary now that there has been a slump in prices,

[Mr. A. A. Waugh]
and I have no doubt that the point which the honourable member has brought forward will be critically regulated by the Board of Revenue when considering proposals made by Settlement Officers.

The honourable member's third point referred to the discrepancies, which existed between old 'protected' rents, such as those of old occupancy tenants, and the high rents of statutory tenants who took their holdings in recent years. I entirely agree with him that there is a very great difference in the rents of old protected tenants and those of recent tenants; but the difference, which had become so marked just before the slump, between these classes of rents has to a large extent disappeared already. That is to say, the high rents of the pre-slump statutory tenants have gone down, partly owing to remissions and partly owing to purely economic reasons, while the rents of low rented occupancy tenants have not come down in the same manner; so that the two classes of rents are approaching each other more than was the case before the slump. I quite admit that I have met with cases, as my honourable friend has met with, where occupancy tenants are paying very small sums for excellent land growing sugarcane, while the statutory tenants pay something like an uneconomic rent. I think, however, that it is one of the advantages of the present proposals that we shall be able to examine the relation which the rents bear to produce; and by doing so, be able, to some extent, to treat both classes fairly. It is true that it is not laid down in the settlement rules that the Settlement Officer shall actually go into the question of produce and state what relation the rents of various classes of tenants bear to produce. But I know that at least in three recent settlements this inquiry has been made; and if my honourable friend would like some further information on the subject, I should be very pleased to show him the rent rate reports and similar documents from which that information may be obtained. I have no doubt that when settlement is taken up again, and also revision, settlement officers will examine very carefully this question of the relation of rents to produce, and see what it actually is, and take this very important factor into consideration before proposing any rent rates or making any variations in rent rates. Having pointed out these facts, I should like to say that the points which my honourable friend has brought forward are very important, and that they will be most carefully borne in mind by Government when issuing instructions as regards resettlement and revision; and I hope that with this assurance my honourable friend will see his way to withdraw his motion.

Rao Krishna Pal Singh: Sir, I am grateful to the Revenue Secretary for making a very sympathetic and satisfactory statement in replying to the points made by me. I have not got very much to say now, except that I would like to make the point about uneconomic holdings a little more clear. What I meant by uneconomic holdings was not what they literally are, but I meant the tenants who cultivate uneconomic holdings. The difference is that some uneconomic holdings are cultivated by tenants who have got other profitable holdings, whereas what I mean is that those whose rent should be given special

treatment are the people who cultivate only small and uneconomic holdings. If we were to take all the uneconomic holdings, we should have included a large number of tenants who cultivate other holdings which are not only uneconomic but sometimes quite profitable. That is what I would like to make absolutely clear. In view, however, of the very sympathetic remarks of the Revenue Secretary I do not wish to press the motion.

The motion was, by leave, withdrawn.

Thakur Balwant Singh Gahlot: I beg to move that under sub-head Survey, Settlement and Record Operations—Total, a reduction of Re.1 be made.

My object in moving this token cut is to obtain certain informations from the Government with regard to settlement operations that will begin in those districts where they had been stopped, whether in those tahsils where the land revenue was assessed a fresh assessment of land revenue will take place; also what would be the policy about the rents that had already been reduced by the settlement officer in those settlement operations which were then stopped, and whether there is going to be further examination of those rents or not.

The other point that I wish to bring to the notice of the Government is the small percentage of the realizations of the rent that the zamindars are making these days. In the previous settlements, while remissions of revenue were made, a very small percentage, that is to say 10 per cent., was to be allowed on account of the bad realizations; but now we have seen that the percentage of realization of the remitted rents has come down to 55 or near about that figure in different districts. In view of this it is very necessary that settlement officers should be instructed to take a more lenient view when making assessments of different villages and mahals. Otherwise the result would be that the existing revenue will increase. It will be very hard on zamindars who are paying reduced revenues after remissions if they will be called upon to pay increased revenue. It may be a great advantage that the rents will be on some sort of economic basis, but at the same time if the net result of all these operations is going to be extra burden upon the shoulders of the zamindars at the present moment, then I think this advantage will not be of any material gain to the zamindars.

My third point is about the appointment of officials in the settlement operations. The policy of the Government should generally be that educated youths of the localities in the rural areas in which operations are started should be given preference and persons from outside should not be imported if they are easily available in that locality.

It is in order to get information on these points that I have moved this motion.

Khan Bahadur Haji Muhammad Obaidur Rahman Khan: Sir, when resettlement and revision have been taken up in hand after some years and under certain conditions, which are very peculiar, I think representatives of different districts have a right to make certain inquiries from the Government in this connexion. I wish to avail myself of this

[Khan Bahadur Haji Muhammad Obaidur Rahman Khan] opportunity and to put a few questions to the Government. As has been stated in the Budget Memorandum and made clear by members of the Government here this morning, the proposal is that the Government is to undertake revision and resettlement in five districts in each case. The result of this will be that the remissions in those districts which have been settled recently and are now to undergo the procedure of revision, will be revised in a much shorter period than in the districts which are to be resettled. I understand there are 19 districts in the provinces which are going to be resettled and out of these the Government proposes just now to resettle those five districts where resettlement was unfinished at the time when it was stopped owing to the sudden slump in prices, and they are thinking of finishing resettlement operations in those districts perhaps in two or three years, so that resettlement of other districts will have to be postponed for a pretty long time. The honourable members are aware that remissions in rent and revenue were taken up under very peculiar conditions and it has been admitted by the Government as well as by non-official members, that there is sign of a change in those conditions, and let us hope that there will be a speedy change because it will be in the interest of the province and the country if the desired change takes place soon.

Shaikh Muhammad Habib-ullah: For the better!

Khan Bahadur Haji Muhammad Obaidur Rahman Khan: For the better of course. But under the procedure which the Government propose to adopt there will be a great disparity. Remissions were completed in a period of a few months only in the whole province and it was really proper to do so at that time. But those districts which are to be resettled now and do not happen to be in the first group will have to wait for years for re-adjustment of the existing remissions. May, I know, Sir, what their fault is? Why should the present remissions continue for years to come even if prices appreciably look up and conditions become better? The Government may say that under the present arrangement it is indispensable and unavoidable, but I would request the Government to reconsider the situation and try their level best to find out some solution to tackle the situation. Fortunately we have here at present two honourable members of the Board of Revenue who possess long experience of settlement operations and the Revenue Secretary who is also an expert settlement officer. Perhaps this position will not last very long, and it is probably the last budget session which is held under these favourable conditions. Therefore, it is high time that these experienced officers should put their heads together and find out some solution of this difficulty. Unless and until that difficulty is solved there will be discontent in districts about which I have already made a mention. I may say that I come from those parts which will suffer very badly on that account. Perhaps those districts will be resettled after years, and in that case the present remissions will remain there as they are for years to come though prices may go up and conditions may change "for the better" as was remarked by my friend Shaikh Muhammad Habib-ullah Sahib. Unfortunately when the Land Revenue (Amendment) Bill was before this House or

the Select Committee, I was not present, so that I could not draw the attention of the Government then to this important point, but it is even now high time to draw the attention of the Government towards this point. I assure the Hon'ble the Finance Member that I am voicing feelings of my constituents in putting forward that point here, and I hope that due attention will be paid towards this difficult position and it will not be left as it is. My apprehension is that if some proper solution were not found out soon, the zamindars who live in the old settled districts, of course besides those five districts which are to be resettled immediately, will have to approach the Government with the request that their case should be taken into consideration. Just to avoid that situation it is much better if they consider the whole position at this moment. There are fortunately some non-official members in this House, who also have practical experience of the settlement work and I request them particularly to help us in this connexion, because being a layman I am myself not in a position to put forward any solution of such a difficulty which the Government despite their resourcefulness and the experience of their officers whom they are fortunate enough in having among them at the present time have found so far impossible to solve. With these remarks, Sir, I resume my seat.

Khan Bahadur Syed Jafer Hosain: I have also got a cut motion standing in my name and the idea of my tabling that motion was the same which the mover of the present motion has and I entirely agree with the views which he has already expressed. I also think that the Government should be very careful in issuing instructions to the effect that any increase which may ultimately be found reasonable in the amount of land revenue, be very carefully examined not only by the Settlement Officer but by the higher authorities as well. We all know the condition of the zamindars at the present moment. We all know that in spite of remissions of rent it is almost impossible for them to make both ends meet. Fortunately we have got at the head of affairs a very sympathetic officer. We have got both the honourable Members of the Board of Revenue who are experienced officers in this branch and who cannot allow any further burden to be placed on the shoulders of the zamindars without a very clear and convincing case being proved. Then we have the Revenue Secretary who is also an expert and who has every sympathy with the hard condition in which the zamindars find themselves. Having said this much, I must also point out that the condition of tenants is equally sad and deplorable. In assessing the rent they will have to take every precaution to see that they will be in a position to pay the rents which will ultimately be fixed by the Settlement Officer. My point is that clear instructions should be issued to settlement officers to be very careful in assessing the rents of the different mahals.

As regards the districts which are at present not included in the scope of settlement operations. I would also urge the Government to accelerate the pace of settlement of the districts which will come under this scheme later on. As has been rightly pointed out by the honourable speaker who has preceded me, it will be hard on

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the districts which are on the waiting list and which will suffer for some years to come before settlement operations begin in those districts. May I know from the Hon'ble the Finance Member whether they have fixed up a programme for the districts which they are going to settle in the near future and the time which will be taken in effecting settlement in those districts? If so, we would be very glad to know from the Government the list of the districts which are to come after these districts. With these few words, I resume my seat.

Shaikh Muhammad Habib-ullah: Sir, honourable members of this House are aware that for the last 2 years there has been a talk or rather motions in this House that the rent and revenue remissions require attention now, that is, they should not be allowed to stand as they have been fixed by means of an executive order and it was suggested that a gradual change should be made. But that was not acceptable to Government. Now Government have come out after great consideration with a scheme of resettlement and revision of rent which they want to introduce. Sir, taking the case of resettlement I must, to start with, express my sympathy with the residents of such districts which may come up for settlement later on. It means that the existing state of affairs about the remission of rent and revenue will continue there much longer than at other places, and I would draw the attention of Government to the genuine appeal made in this behalf by the honourable member for Aligarh.

Now, Sir, coming to the point raised by the mover of the resolution that it is very important that instructions should be issued to the settlement officer in certain matters. I have been following the course of action taken by Government and if one would read through the *communiqués* issued at different intervals, he will find that there are distinct undertakings which the Government has agreed to give in regard to their action in the matter of dealing with rent and revenue, and there is no doubt and I fully believe that those views which are expressed in the *communiqués* will find a place in the instructions to be issued by the settlement officers. I do not believe for a moment that they were only baits thrown to us to agree to this measure, but they were solemn promises of Government and the Government will solemnly fulfil them. There is one point which was raised by my friend which is very important. He said will the Government resettle those districts again which have been partly settled. Well, I think the answer can only be in the negative. Any portion of the district that has been settled cannot be resettled under the law; a settlement can only be revised. But the most cogent question which arises is this that these settlements were done in the year A. D. 1932, that is during the slump period. Now whether the assessable assets accepted in the year 1932 were the assets after the rents were reduced or they were the assets accepted from the record in which the remissions were not shown—I mean the pre-slump period records. If the assessable assets taken for the fixation of revenue in 1932 are reduced now in revision, I think the Government shall have to reduce the revenue proportionately. Once the Government have accepted the assets and have fixed the revenue on those assets, and if those assets

are further reduced now, the only natural conclusion is that the revenue will have to be reduced, and I hope the Government will make a clear statement on that point. In districts which have been settled during the pre-slump days years ago, it is quite different, but in districts which were settled in 1932 and in which assessable assets have been accepted for the settlement or for the fixation of revenue, if those assessable assets are reduced now under the present revision, the revenue will have to be proportionately reduced. I should like to know whether this view of mine is accepted by the Government or not.

Rao Sahib Thakur Shiva Dhyani Singh :

راؤ صاحب ٹھاکر شیوا دیانی سنگھ —

جناب دینتی پریسیڈنٹ صاحب —

ٹیکسوں کے معاملہ نے ابھی تک عم لوگوں کا پیچھا نہیں چھوڑا ہے۔ یہی settlement کا question اس cut کے ذریعہ سے کوئٹل کے سامنے آتا ہے۔ میں دو چار لفظوں کے اندر اس کو ختم کر دینگا سب سے بڑے جن بانچ ضلعوں میں بندوبست ہو چکا ہے جن میں resettlement ہوگا ان میں جمع سناڑے کبی میعان دو وقعاتی سال ہوگی اس کے بعد جو بقیہ اضلاع زیر بندوبست رہ جاتے ہیں ان کے نمبر آنے پر جو settlement ہوگا ان کے تکرار کی مدت اب سے کم سے کم پانچ سال ہی ان اضلاع کے لیے ایک طویل مدت درکار ہی جو بعد میں resettlement کے اندر آوینگے اس طرح سے بانچ سال کے عرصہ میں بہت سے اضلاع اپنا حصہ remission کے بڑھ جانے کا فائدہ 5 سال پہلے حاصل کر سکیں گے وہ اپنے نقصان میں پانچ سال تک دیتے آئیں گے اس لیے میری عرض ہے، میں کہ ان زمینداروں کی حالت کو بھی جو افسران بندوبست مقرر کیئے جائیں اپنے خیال میں رکھیں کیونکہ زمینداروں کی حالت جیسی نازک ہوگئی ہے وہ کسی سے چھپی نہیں ہیں زمیندار صاحبان کو صرف اوروں ہی سے آپ کو ٹیپا، قاپ نظر آتی ہے لیکن اندر سے ان کی ہڈیاں کھوکھلی ہوچکی ہیں کسانوں کی حالت زیادہ بہتر نہیں ہے آج ان کی حالت جیسی ہی رہے ایک چیز سے ہی آپ کو پوری روشن ہو سکتی ہے وہ حوش بوش کچے منانوں میں مٹی کے دیئے چراغ جلانے والی فاقہ مست کسان ہندوستان کی جیتی جاگتی ایک تصویر ہیں ان غریبوں کو صرف در وقت یا ایک وقت باجرے یا مکے کی روٹی بیٹ بھر کم مشمل سے ملتی ہے اس واسطے جو افسران settlement مقرر کیئے جائیں وہ اس پر ضرور غور رکھیں کہ کہاں تک rent اور revenue بڑھایا جاوے *

Khan Bahadur Maulvi Fasih-ud-din : Sir, as nearly all the districts of the province are coming in for settlement or revision of settlement, I think that this is the most critical moment and perhaps the last opportunity for the expression of our views on the subject of the *modus operandi* which should be adopted by the settlement officers in connexion with this important work of theirs. For that reason, Sir, I crave your indulgence if I were to go into the question at some length in order to make sure that neither the tenants nor the zamindars may suffer at the

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hands of the settlement officers who will be appointed in the very near future. Sir, before I come directly to the points which I want to raise I should like to go very briefly into the condition of the zamindars of these provinces and also into the past history of the settlements that have already been done in order to explain the position which I am taking as regards this subject. Sir, it cannot be gainsaid that no province, other than this province, is so essentially agricultural in character and possesses the most perfect system of zamindari. It is also clear, Sir, that no province, other than this province, has got such a high pitch of land revenue and that no province has been more unfortunate in the matter of the rise in revenue from time to time at the time of the various settlements. Sir, we find that as many as 85½ per cent. of the zamindars of these provinces are paying a land revenue of less than Rs.100 a year. We also find that in spite of this fact the incidence of land revenue in these provinces per head of population is higher than the incidence of land revenue per head of population in other provinces. The figures which I wish to quote are these.

Province	Incidence of land revenue.			
	Rs. a. p.			
Madras	1	11 0
Bombay	2	3 6
Burma	2	14 3
Central Provinces	1	10 0
United Provinces	3	0 0

As to the incidence per acre of land we have already seen in connexion with the general budget discussion that the incidence of land revenue per acre of land in these provinces is higher than the incidence of land revenue per acre of land in any other province in India, and that taking the cultivated area into consideration the incidence in these provinces is only less than in the Ryotwari province of Madras. Considering these facts, I think it behoves the settlement officers to be very careful in connexion with their work.

(At this stage the Hon'ble the President resumed the Chair at 3 p.m.)

Sir, we remember that when the Settlement Committee of 1923 was going to be held, the then Governor of these provinces, Sir Harcourt Butler, furnished that Committee with a memorandum which will continue to be a landmark in the history of settlements in these provinces and which shows the breadth of vision and sympathy which were the characteristics of Sir Harcourt Butler. That memorandum said in so many words that the policy of Government in connexion with settlements should be one of moderation, sympathy and leniency. Sir Harcourt quoted in that memorandum Mr. Thompson who said that in the case of a sudden outbreak of crime one should look to the incidence of land revenue in that particular district. He also quoted Sir Alfred Lyall to the effect that humanity needed that the Settlement Officer should not suck the life-blood of the nation by increasing the pitch of land revenue. He also quoted another very great authority who said that the cause of the downfall of the great Roman Empire was the harshness of the imposition of land tax. In fact, that memorandum gave many points

to Government in connexion with its policy, and we are thankful to Sir Harcourt Butler that his note went a great way in leading the Government to concede those points. The first point which is very relevant on this occasion which Sir Harcourt Butler made out was this :

The Hon'ble the President: May I point out to the honourable member that we are discussing a budget demand and there are so many heads to be gone through and if the honourable member takes up so much time we will never be able to finish them. I do not want to cut short this speech, I only want to make a suggestion.

Khan Bahadur Maulvi Fasih-ud-din: I just want to enunciate the points which ought to be considered and which were suggested by Sir Harcourt Butler. The first point is that the pitch of circle rates should be very low and should not exceed the rates paid by tenants for 20 years or more. The other most important point brought out was that the increase in the land revenue should not exceed a certain percentage in spite of the fact that the assets may be very high. Another point which he suggested was that liberal deductions should be made on account of the improvements which are made by the zamindars and that the question of the cost of these improvements should not be taken into consideration at all. Another point on which he laid stress was that there should not be an undue enhancement in the rental for the purpose of increasing the land revenue. Another point that he raised was that the percentage of land revenue should be as low as possible. These are the basic points which the Government ought to consider in connexion with the adoption of the assessment policy now. I remember, Sir, that you also gave a very strong note regarding the manner in which these settlements should be made and I also remember that you said in the note that the Government should not kill the swan that laid the golden eggs. Considering all these facts and the past history of these provinces I hope that the Government will think twice before allowing the Settlement Officer to increase the land revenue to an abnormal extent. It is a pity that we are not in a position to know what will be the effect of the coming settlements and the revision of settlements on the tenants and the zamindars. I hope that the Government, at least in the case of those districts which are to be resettled, give us a forecast of the increases in rents and the increases in land revenue, as well as the net profit which will accrue to the zamindars as a result of the new settlements. I have no figures in order to come to any definite conclusion in this matter, but I think some idea can be gained by a perusal of the Turner Scheme. That scheme compares the remissions actually made in 1339F and the remissions that ought to have been made on the basis of price index in that year. It also gives the figures for various districts about the remissions which should be made on the basis of the price index in 1341F. It also gives the figures for the remission of land revenue which were actually made in 1339F. and the remissions in land revenue which may be obtained on the proportionate basis. It also gives the land revenue which ought to have been remitted on the basis of price index of 1341F. and also the land revenue which ought to have been remitted on the

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proportionate basis in 1941F. at 35 per cent. and 36 per cent. respectively. I believe, Sir, that the prices have not risen very much since 1941F. Thus if we were to take the figures of Mr. Turner's scheme, we can possibly have some idea of the reduction in the amount of remissions in rents that will accrue to the zamindars and the reduction in the amount of the remissions that will go to the Government. I was only this morning making a calculation of these figures. For the sake of brevity I need not quote the various figures of those years. But I only give the result of my calculations. My calculation shows that while the reduction in the amount of remissions for the 38 districts, for which the figures were available, the reduction in the amount of remissions would amount to about 20 lakhs of rupees and odd; the reduction in the amount of remissions of revenue on the 35 per cent. basis will amount to about 10 lakhs of rupees. Similarly, the reductions in the remission of land revenue on the 36 per cent. basis will amount to about 8 lakhs of rupees. In other words, taking the province as a whole or at least the 38 districts, for which figures were available according to the Turner Scheme the remissions in the rents of those districts will be decreased by about 20 lakhs of rupees. And if revenue were to be assessed on the 35 per cent. basis or 36 per cent. basis, there will be a decrease in the remissions of land revenue to the extent of 10 or 8 lakhs of rupees. That I think will be the situation. I do not guarantee, Sir, that these proportions will not vary from district to district. It is possible that in some districts the present net assets of the zamindars may be curtailed—and considerably curtailed, while in others they may be enhanced. My own idea is that that on the whole the zamindars of those districts in which the percentage of land revenue remission is very low, will get a clear advantage. Such districts are, I believe, Budaun and so on. But there will be other districts like Allahabad, etc. in which revenue remissions have been somewhat high. They will not get much advantage on account of the revision of settlement or on account of resettlement. There are some districts which were settled long ago and in which there has been a great enhancement of rents during the last 15 years and in which the existing figure of land revenue is not more than 20 per cent. of the assets. Those districts, I am sure, will suffer to some extent. But we cannot be certain about these figures unless we get the forecast from the Government. I believe the Government has got some sort of forecast with them, but probably the Government does not reveal it for the simple reason that the Government itself is not sure about the correctness of that forecast. In any case we have now agreed to this new legislation and in all fairness I should admit that we had no choice but to agree to it in view of the fact that the present system of remissions is thoroughly untenable and we thought that the sooner it was done away with the better it will be for these provinces, we realize that there was no other scheme for correcting the existing method of remission except the readjustments of rents and land revenue, but at the same time it should not be understood that we agree that the Government in these hard days should allow the Settlement Officer to assess the land revenue at the full average of 40 per cent. The average, I think, should be lowered to at least 37 or 38 per cent. and in a majority of cases, specially in cases in which the land

revenue is to be enhanced, the Settlement Officer should be instructed not to go beyond 35 per cent. which is the minimum prescribed by law. Besides, Sir, I would also urge that in the case of pattidari villages and in the case of small zamindars who, as I have stated, form about 85½ per cent. of the population of the zamindars in these provinces, the settlement officers should usually adopt the rule of assessing at 30 per cent. He should not treat the rule as a rule to be enforced in rare cases; he should frequently use that particular rule. Besides the limit in the Land Revenue Act for the increase in land revenue is one-third. In other words according to the existing law no settlement officer should increase the existing revenue by more than one-third of the old revenue. This is the maximum prescribed by law and I would suggest that the Government may issue instructions to the settlement officers concerned not to allow the revenue to go beyond 25 per cent. in any case so long as they can help it, and that if they want to go beyond 25 per cent., they should take the special sanction of the Board of Revenue which shall pass orders according to the merit of each case.

The only one question that with your permission I want to touch upon is this. A large number of zamindars are anxious to know as to what procedure will be followed by the Government in the case of those groups of districts which will not be taken up immediately and specially those which will belong to the last group, that is, the settlements of which will be taken up after seven or eight years. Those zamindars are anxious to know whether the present system which has been condemned by the Government itself will continue for a period of eight years or not. I gave a scheme to the Government the other day which was to the effect that the figures of Mr. Turner's scheme should be accepted for the purposes of remission of rents and land revenue and instead of spreading over the remissions of rents in each district to the various classes of tenants, a flat remission should be allowed in the case of all classes of tenants and the revenue should also be remitted on the basis of the flat rate remission scheme in the same way. This work will not take up much time and it will be only a desk work for the Government officers to do. In that case there will be some method in respect of the remissions of rents and land revenue, and the zamindars as well as the tenants will be satisfied. Otherwise it will be hard on the zamindars and the tenants of those districts which are to be taken up later on to go on with the present scheme of remissions, which should not be allowed to stand even for a minute.

There is one thing more, namely, that in spite of the rules and regulations that we make, in spite of the leniency that we show in framing the rules and instructions, so much depends on the mentality of the settlement officers and their assistants. If their mentality is to benefit the Government at all cost, to enrich the coffers of the Government who pays them, then they can increase the land revenue of the Government in spite of those rules, and they can escape by saying that they have followed the rules all right. But if they are men who are gifted with a touch of human sympathy and who feel, like Sir Harcourt Butler, for the sufferings of humanity, in that case they will certainly prove to be a boon to the whole province, and I hope

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that in making selections the Government will select such officers as are known for their sympathy for the suffering people of these provinces.

The Hon'ble the Finance Member: The debate on this particular cut motion has extended over a large number of subjects, and has perhaps included matters which were to have been dealt with under other cuts as well. I will endeavour to reply to all the points which have been taken, and I hope that this will have the effect of reducing the length of our discussions today.

The honourable mover took three main points, the first being with regard to the revision of settlements. He asked what the procedure of the Revising Officer would be. Would he resettle the area that had been previously settled, or what would his procedure be? The answer to that question is that revision of settlement is an entirely different operation from re-settlement. There will be no question of the settlement procedure, which has already been gone through once, being repeated by the Revising Officer. He will take account of the different conditions produced by the fall in prices and he will make reductions in the revenue assessed in each mahal accordingly. That is, briefly put, what his procedure will be. Then, if I may include this in the same point, my friend, Shaikh Habib-ullah Sahib, seemed very anxious to know in respect of recently settled districts whether, if the assets on which the revenue had been fixed are found to have declined in value, the revenue as originally fixed would be reduced. My answer is that that will certainly be the case. This seems to me to admit of no doubt or any possibility of denial. I could not understand why my friend appeared to be so anxious to get a straight answer to that question.

The second point taken by the honourable mover of this cut was the matter of the allowance given by settlement officers and revising officers for short collections. He said that the average percentage of collections of rent in a number of districts of the province did not exceed at present 55 per cent. even after allowance had been made for the existing remissions in rent. We all know that this is a vexed question and that the entries in the *siyaha* are looked upon with some doubt and suspicion as being either incomplete or not always very accurate. I would only remind honourable members of the fact that, during the last complete year for which we have got full returns, that is to say the year 1934, the percentage of collections which the court of wards were able to make in their estates was returned as exceeding 91, which is a very different thing from 55. I am quite prepared to believe that a number of zamindars do not get as high a proportion as the Court of Wards estates, but I hope it is not the case that many zamindars are unable to collect more than 55 per cent. of their rents.

The third point taken by the mover of the cut was with regard to the appointment of settlement clerks. He is quite right in thinking that the Government will endeavour to collect from the various districts, where they have been given appointments in the district offices, all those old experienced settlement clerks who have already worked in recent settlements. Their number will undoubtedly have to be largely supplemented for the obvious reason that the number of settlements and

revision of settlements which will come into force simultaneously will be larger than those in operation previously. In recruiting these additional clerks I can assure the honourable mover that the Government, as far as possible, will employ local men, and I think I can promise him that, when it is possible to do so, men from the rural areas, if they are sufficiently educated and experienced to be capable of being trained, will be employed. Conditions vary very much from district to district and it is not always the case that a sufficient number of well educated young men can be found in the rural areas of a district to meet the needs of the settlement office work; but as far as possible that will be the procedure employed.

Then, Sir, I am not quite sure whether it was the mover of the out or one of the subsequent speakers who asked the Government to indicate what their programme was. Well, Sir, we have not got a complete programme in view yet, and probably any programme which we draw up now would have to be altered from time to time as the work went on. But the immediate business before Government is to re-open the settlements of the five districts, viz. Meerut, Bijnor, Sitapur, Sultanpur and Bahraich, in which operations were suspended nearly four years ago, and in addition to select five other districts for revision.

Shaikh Muhammad Habib-ullah : What are they?

The Hon'ble the Finance Member : They have not yet been finally decided upon.

What I was going to say is that in districts where revisional operations are to be taken up, I think probably one of the considerations which will guide Government in making a selection is that it should, other things being equal, take districts in which settlements have been most recently concluded, whereas in the matter of districts for re-settlement the obvious districts to choose will be those in which the existing settlement is the oldest. Both these considerations must be subject to the proviso that Government are very anxious to obtain experience and information from every part of the province as soon as possible, so that they may have a full knowledge of how conditions are in the east, west and centre of the United Provinces. Subject to that consideration, I think probably the programme of Government will follow the lines I have just indicated.

Then, some doubt was expressed with regard to the promises and undertakings that Government have given in *communiqués* and other pronouncements during the last few months. I can assure this honourable House that Government will most rigorously and scrupulously observe all the undertakings which they have given both in their *communiqués* and on other occasions when they have made public pronouncements. My honourable friend, the member for Budaun, made a number of references to subjects in which he was personally interested. He expressed some apprehension with regard to the procedure of settlement, and he alluded to the fact that however carefully Government might draw up their rules and instructions, it must still remain within the power of the Settlement Officer to either interpret those rules and

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instructions in a favourable way, or, shall we say, in a sympathetic way—to use the adjective which was so frequently in his mouth—or in an unsympathetic and rather rigid way. All I can say is that Government will certainly entrust this important work to experienced officers as far as they can; and honourable members may rest assured that under the experienced and able guidance of our two present Members of the Board of Revenue, both of whom have very nearly completed 35 years' continuous service in the Revenue department, the interests of the cultivators and of the zamindars, both great and small, will be quite safe and adequately protected. Government are entirely confident that the interests of all concerned are in perfectly safe hands; and they congratulate themselves that at the commencement of these important operations the early instructions and guidance to a large body of settlement officers and revising officers will be given by our present Members of the Board of Revenue.

Then one point was raised by more than one speaker; and it is a most important one, namely what is to happen to the districts in which neither re-settlement nor revision of settlement will take place during the course of the next 2, 3, 4 or 5 years? This is a point which is exceedingly difficult. It was discussed at considerable length by the Select Committee on the Bill, which is now an Act, to amend the Land Revenue Act; and I am sorry to say that the combined wisdom of all the members of the Select Committee was unable to evolve any scheme or suggestion that appeared to hold in it the seeds of future success. But my friend opposite, the honourable member for Budaun, I think, did promise us at that time that he would try and evolve from his own lengthy experience of settlement and land revenue work generally some scheme which Government might consider. I still hope that he will give us the benefit of his experience and let us know what his suggestions are. Meanwhile, Government will also as soon as they are free from the business of the budget session, take up this very important point, and see whether any method can be evolved of dealing with those districts which may not be regularly settled or have their settlement revised at a comparatively early date. Then, Sir, the same honourable member suggested that there should be a definite order issued to all Settlement Officers that in no case should the new land revenue demand exceed by more than 25 per cent. the expiring demand or the one which is already in existence. Well, Sir, I would remind the House that in the last eight districts, whose settlement was concluded before the slump in prices took place, the average rate of increase in the demand did not exceed 20 per cent. So probably there is little need for apprehension on this point. I think that these are practically all the points which were taken.

I may add one remark with regard to the apprehensions expressed about the procedure of Settlement Officers. It is within the knowledge of honourable members that under section 95-A of the Land Revenue Act, whenever the re-settlement of a district takes place the forecast which is drawn up under the law before the settlement operations commence, the assessment reports made by the Settlement Officers and the

final reports of the settlement officers are laid before this House for its information; and the members of the House will have an opportunity of discussing all these documents and making recommendations to the Government which Government must take into consideration before it passes final orders on any of those three operations, which are the main stages of every settlement. I hope, Sir, that with this consideration in their minds honourable members will feel less anxious and nervous about the important operations which will start soon. I can assure honourable members that Government fully realize that this is a most unusual occasion. We are hoping to undertake and complete the settlement or revision of settlement of practically all the districts of these provinces within a period of ten years. That is an operation which in normal times would not have been completed in less than a period of thirty years and in the future of forty years. It is obvious that work will have to be taken in hand speedily and pushed forward as rapidly as possible. Government realize to the full what great influence for good or ill on the future of these provinces the way in which these operations are carried out will have. I can assure honourable members that this consideration will always be present to the Government during the next few years and that they will bear carefully in mind the remarks and suggestions which have been made in the debate today.

Thakur Balwant Singh Gahlot: Sir, I congratulate the Hon'ble the Finance Member for making such a clear and sympathetic statement on such an important and intricate question as the present one and in view of his sympathetic reply I wish to withdraw my motion.

The motion was, by leave, withdrawn.

Pandit Prem Ballabh Belwal: Sir, I beg to move that under the entire head, a reduction of Re.1 be made.

I am glad to find that the allotment has been made for starting settlement operations in Kumaun and I think that the settlement of the Garhwal District is more or less complete. The operations will now be extended to the districts of Naini Tal and Almora. It has of course been admitted by everyone concerned that the condition of records is very unsatisfactory. Sir, I have to make certain inquiries in that connexion. The first thing that I want to know is whether Government has prepared any forecast of the districts of Naini Tal and Almora. If so, will it be published for eliciting public criticism. I will strongly object to the carrying of settlement operations on the basis of the old forecast in the district of Naini Tal which was at that time considered very re-actionary and against which there was so much opposition.

The next point, Sir, about which I would like to inquire is whether the Government are prepared to find out the net profits of holdings in each circle. As no annual records are available it will be very difficult to find out the net profits, while, for purposes of assessment, it is very necessary that the net profits of holdings should be worked out. I want to know definitely how and in what manner the Government will arrive in their conclusions with regard to net profits. Further, I want to know what share the Government would like to take out of the net profits that accrue to the cultivators there.

[Pandit Prem Ballabh Belwal]

I would also like to know in how many tahsils of district Almora and Naini Tal settlement is going to be started in this year as the allotment made is only Rs.1,49,000.

Lastly, I want to bring to the notice of the Hon'ble the Finance Member that on the last occasion very inexperienced officers were deputed as assistant settlement officers. Candidates for naib-tahsildarship, having no knowledge of revenue matters, were thought fit to take charge of settlement operations. I would ask the Hon'ble the Finance Member that responsible officers, who could be depended upon, should be appointed as assistant settlement officers as very great responsibility rests upon them for the success of the settlement operations.

I would ask one thing more, that is, how the survey operations are going to be performed? Will it be a plane table, chain or rope survey? We want that there should be a complete survey of all villages and records are prepared up to date.

Thakur Jang Bahadur Singh Bisht: Sir, the condition of records in Kumaun, especially in Almora District, must be known to the Government from the reports received from its officers in Kumaun. It is essential to improve the condition of records, and for this a settlement along with survey is necessary. It is needless to try and mend matters by simply copying out entries, which now exist, on fresh sheets of paper. I am still strongly of opinion that corrections sought to be made in this manner must naturally lead to nowhere. Mistakes or omissions that now exist must naturally be copied over and excepting that we will have fresh paper and recent copy, no actual benefit can be gained. I consider that any such procedure would be waste of time and money. It is essential, therefore, to bring up the records in a proper form, and to make necessary corrections, that a survey and settlement should take place, I am sorry that the amount allotted is not sufficient to meet the purpose, and much more money is required.

Sir, I need not say much but leave it to Government to inquire from its own officers if a settlement and survey in the Almora District is necessary or not. If it is considered necessary (I think there can be no two opinions) settlement operations should be taken in hand as soon as possible. The main reason why I am inclined to support this settlement and survey in the Almora District is that the maps in existence there are very old and no one can make head or tail of them. The records are no better. This leads to litigation and I think it will be in the interests of the people and all concerned that this survey should be undertaken as soon as possible. At present we have Mr. Ibbotson, as the Deputy Commissioner in charge Kumaun. He is an officer with experience and had to do with the Garhwal settlement. I am not concerned here to discuss that settlement, but as far as the need of survey and settlement in Almora is concerned I am sure he will agree that what I have stated is absolutely correct. I am very strongly of opinion that this settlement should be undertaken as soon as possible, and should not in any case be avoided.

The Hon'ble the Finance Member: The question of taking up settlement in Almora and completing that of Garhwal was briefly touched

upon by me in my introductory speech this morning. I am afraid my honourable friend opposite is very optimistic when he says that the settlement of Garhwal is practically completed. The position in Garhwal, briefly put, is as follows. The district contains 11 parganas divided into 80 pattis. Out of these 80 pattis settlement operations with full maps and records are practically complete in 28. But I am afraid that in the remaining 52 nothing has been done, but to enhance the revenue demand. Those 52 pattis are still awaiting the attention of the amins and the Settlement Officer. We are proposing to carry out those operations in another 10 pattis during the coming year and I am afraid that the balance of the area which will still be left over after this coming year has expired will represent about half the district. The reason why the Government are continuing to do this expensive, and not very profitable work, is that the inhabitants of Garhwal have been paying an enhanced revenue of about Rs.90,000 per annum since 1927. The position in Almora is widely different. The greater part of Garhwal possesses cadastral maps printed on excellent paper which are comparatively recent; they were only made between 1890 and 1894. Almora, on the other hand, possesses no maps worth the name. They were made about the year 1865 and now they are very nearly in tatters. Therefore it is urgent that a resettlement of the district be undertaken. But the question of expenditure as compared with the probable enhanced revenue is a serious one. The rough estimate for preparing fresh maps of all the villages in Almora with full revenue records assessing the district is put at between Rs.13 and 20 lakhs, while the total return from the enhanced revenue—it is difficult to calculate it—is not likely to exceed 2 lakhs per annum. It may be less. In these circumstances it is difficult for Government, with such a huge programme of settlement in the plains before it, to make up its mind to start another thorny hill settlement in Kumaun. But, Sir, I will do my best before the end of next year to come to some conclusion on this subject. I feel that as an old Kumauni myself, I owe it to the province of Kumaun to do what I can for it. And I hope either myself to go over to Almora during the coming hot weather to talk over things with local leaders or perhaps arrange for the Senior Member of the Board to undertake a visit to that place. I am sorry that I have not been able to do more so far in the matter of the Almora settlement; but I am sure my friend Mr. Belwal will understand that it is a fairly large undertaking to complete the revenue settlement of Garhwal without taking on the further very large problem of Almora in addition.

Pandit Prem Ballabh Belwal: Sir, I was rather disappointed to hear from the Hon'ble the Finance Member that the settlement operations are not being extended to the districts of Naini Tal and Almora. As I found in the budget that the allotment for settlement was much more high than what it was in the previous year I was led to believe that the settlement work will be carried out in every district and it was natural for me to think that it will be extended to other districts also. But, Sir, I have now nothing to say except that the gravity of the situation has been already realized by the Government itself, it is now up to them to set things at right which, as far as records are concerned, is simply

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deplorable. I would only request that whenever the Hon'ble the Finance Member or the Senior Member of the Board of Revenue goes on tour to Almora or in the interior of Naini Tal, he should take into confidence the non-officials of that place and discuss at length with them the scheme as to how to arrive at an agreement which would result in pushing up and facilitating settlement operations in future. Last time there were lot of troubles in the Naini Tal District because the forecast that was prepared and the methods that were adopted in implementing the forecast were rather objectionable and not in the best interests of the public at large. I hope, Sir, that Government will bear all these points in mind.

The motion was, by leave, withdrawn.

Thakur Keshava Chandra Singh: I beg to move that under sub-head Survey, Settlement and Record Operations, a reduction of Rs.10 be made.

My purpose in moving this cut is to point out to the Government a serious defect in the procedure adopted in the quinquennial settlement operations in Bundelkhand. The procedure there is something like this. The patwari of the village prepares the return showing the cultivated area in each patti and mahal. This is verified by the kanungo and then the Settlement Officer fixes the revenue. It is then sent to the District Magistrate, the Commissioner and the Board of Revenue for approval. Nowhere during this period are the proprietors informed of the revenue which is going to be assessed on their pattis or their mahals. They only come to know of it when the sanction of the honourable Board of Revenue has been obtained and they are informed that they have to pay so much new demand. That takes something like a year or a year and a half. Mistakes are committed by the patwaris sometimes *bona fide* and sometimes deliberately and these proprietors come to know of them at a stage when nothing can be done. Last year a very serious mistake was found out in village Jaspura, and the matter went up to the honourable Board of Revenue. What the patwari had done was this. He had shown the cultivated area in some pattis to be more than double the actual area of those pattis, and the result was that more than double the revenue had been assessed upon these pattis. For one or two years the zamindars paid it, but when they saw that they could not pay it they brought the matter to the notice of the District Magistrate, and now the matter has been set right by the honourable Board of Revenue and the revenue which ought to have been fixed on the actual cultivated area has now been assessed.

This is the only point which I wished to bring to the notice of Government in connexion with this motion.

The Hon'ble the Finance Member: Sir, the case to which my honourable friend has just alluded was certainly a bad one, and I know that my friend the Senior Member of the Board of Revenue has got the matter under consideration and will look into the rules to see whether any modification of them is required in order to prevent a recurrence of similar mistakes or deliberate misrepresentation by the

patwaris. If it is necessary to alter the rules with a view to preventing such incidents the rules will be suitably amended.

I hope, Sir, this will satisfy my honourable friend.

The motion was, by leave, withdrawn.

Raja Jagannath Bakhsh Singh: I beg to move

The Hon'ble the President: Notice of this motion was not received in time. Is there any objection to its being moved?

The Hon'ble the Finance Member: No, Sir.

Raja Jagannath Bakhsh Singh: I beg to move that under sub-head Survey, Settlement and record operations a reduction of Re.1 be made.

My object in moving this reduction is to draw the particular attention of Government to the correction of land records. It is obvious that the *jamabandis* which the patwaris keep are mostly written after obtaining information from the landholders. Particularly the collection side of the *jamabandi* is entirely supplied by the landholder, but it so happens that if they are both produced in the courts the *jamabandi* is usually taken to be correct even in respect of those entries which the patwari obtains from the landholders. His papers are supposed to be more correct in the court than the landholders. Consequently it is very important that the recorded entries of the landholder and the patwari should be the same. For this purpose the best method is that the landholder should be in possession of the copy of the patwari's records so that if there is any difference of entry between the two he may be able to represent the matter in due course before proper officials. The method open to the public to obtain copies of the patwari's papers are in the first place very dilatory; in the second place it is sometimes not possible to get those papers at all before the necessity to produce them in the courts has passed. The only way open to the public is by applying to the proper courts for authenticated copies. Perhaps I will not be wrong in saying that in every tahsil there will not be less than 200 or 300 villages. If that is so and all proprietors, or co-sharers and under-proprietors apply for authenticated copies in the tahsil the result is obvious. Perhaps the tahsil office will not be able to cope with the demand. Therefore, it is clear that some other method has to be adopted if Government really considers it important that the entries in the patwari papers and those of the *mahal* owners should be the same. Obviously so far as the public is concerned they have been obtaining copies by some arbitrary arrangement. If by the same arbitrary arrangement copies are obtained I think to a very great extent the public should be satisfied, but the arbitrary arrangements so far are more at the mercy of the patwari himself. It is for this purpose that much inconvenience is felt by the public concerned. Where that small, but very important, official is more agreeable, the records are easily obtained; but if conditions are otherwise, difficulties arise. It is to solve this position that I wish to draw the attention of Government towards this matter. The matter may not seem very

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important at the outset, but I think the results obtained by some successful arrangement in this respect will cover a very wide area and the correction of the records of the *mahal* owners will go a long way to solve the difficulties of the Government in various methods of settlement and revision that are to proceed hereafter. It is with this object, Sir, that I have moved this cut. My suggestion is that if it is not possible to devise any other means, perhaps some orders from the higher authorities may go a very long way to solve the difficulty. If the patwari knows that the Government desires that he should supply such information to the *mahal* owner and if the *mahal* owner knows that it is also the order of Government that these records or the copies of those records should be obtainable to the *mahal* owner so that his papers may be correct, perhaps the inconveniences caused by arbitrary arrangement or agreement between the two will be obviated. It is with this view that I think the Government may be pleased to issue some instructions in this respect. I do not lay much stress on the authenticated copies, because, I think, it will involve very great expenditure if it is attempted to make authenticated copies available to *mahal* owners. I do not think that is practicable. I should therefore press at present that some instructions or orders from above may be given in this respect.

Rai Bahadur Babu Jagadeva Roy : Sir, so far as I have been able to follow the speech of the learned mover it appears to me that the practice in Oudh seems to be a bit different from that in Agra, because in Agra province copies from the papers of *jamabandi* can be obtained from patwaris. The only thing is this that they give copies under their signature and they charge something for that copy. That copy is produced in court and is admissible there. This system gives a sort of facility to landowners in obtaining copies from the patwari. What I want to add to the speech of the learned mover is that even this course proves to be very expensive. For instance, if a proprietor were to get a copy direct from the patwari and if there are 100 holdings in a small village, then in that case he will be required to pay at the rate of four annas per holding, and that becomes very much. So in my opinion the scale of fees which has been prescribed to be paid by a tenant or a proprietor in obtaining a copy directly from the patwari requires to be revised so that the course may not prove to be very expensive. This is one point which I want to add to what has already been urged by the mover of this cut. Besides this the other facilities which can be afforded of course should be within the reach of a proprietor and a tenant for which purpose this cut has been put forward.

Rao Krishna Pal Singh : A very important point has been raised by the Raja Sahib and I wish to lay a little emphasis on behalf of those who experience difficulties in getting copies of records through the patwaris. It is a matter of common knowledge that the patwari is not everywhere a person who is above party and petty influences. There have been instances, and a large number of them too, when the patwari has not only put hindrances in the way of giving copies of records but

where he has actually refused to give copies of records, and registered letters have had to be sent to him in order to get copies or complaints had to be filed with the sub-divisional officer or the Collector. It is very difficult for an ordinary zamindar and much more so for a tenant to do anything against a patwari who tries to become mischievous and we all know that there are not very few instances of patwaris who do not pay due regard to their duties.

The other point too which has been raised by the other honourable gentleman who has spoken is important. It is about the charges for the copies. I think one is required to pay four or five annas for a copy of a paper which contains only a small number of entries of plots. That is probably not a minute's work for a patwari to prepare a "*fard*" to issue it.

I think both points are very important and should receive due consideration from the Government.

Mr. D. L. Drake-Brockman : My honourable friend appears to complain that it is extremely difficult to get copies of the patwaris' papers out of the patwaris. I can well imagine that that is so; in fact I know that this is so. It was with the object of facilitating what he wants that rule 24 of the patwaris rules was framed. It may be pointed out that if every person who is in need of a copy of an extract from the patwaris papers has to go and file an application for a copy in a tahsil, not only will this result in great delay but a considerable amount of expense. It was in order to satisfy tenants and landlords that the rule was passed which is now rule 24 of the Land Records Manual laying down that "a patwari must allow anyone interested to inspect his records in his presence and take notes of the same in his presence without fee." The rule goes on to say: "The patwari shall give to applicants certified extracts from his papers except the settlement and partition records and the charges will be so and so." Well, of course, there is nothing to prevent a patwari from refusing to give an extract and, as I said, we all know that he does so.

Raja Jagannath Bakhsh Singh : May I know what the charges will be?

Mr. D. L. Drake-Brockman : The charges for *khataunis* and *jama-bandis* for every twenty-five entries or else are four annas. That is to say, if there is a tenant's *khata* consisting of twenty-five different entries, he will get that for four annas. Of course this cuts both ways, because very often the *khatauni* entry in dispute contains only one number, but on the other hand sometimes it may be 30, 40 or 50 numbers. Then with respect to the *khaskra*, for an extract up to five entries, the charges are two annas and for every additional entry a quarter of an anna, that is to say, he gets five *khaskra* entries for two annas. The rule then goes on to say, "If the patwari refuses or neglects to give the required extract, an application may be made to the tahsildar, who will order compliance." The first thing that I should like to point out is that the word used in this rule is "extracts". Patwaris cannot be expected to give copies of complete *jama-bandis*

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and so forth, and I am not sure that some of the complaints against patwaris do not originate from persons who really want something more than what might legitimately be called an extract. However, this matter has been under consideration several times before in view of the complaints made, and it has been difficult to see how any better remedy than that given in the latter part of the rule can be applied. The tahsildar is the nearest officer, and if a complaint is made to him (it need not necessarily be a formal application on a stamped paper), he is bound to order compliance. There is also the kanungo, who goes round the village and whose duty naturally would be to compel compliance. It is true that neither of those officers have the power of punishing a patwari, but if the matter came up to the S. D. O., he would most surely punish a patwari for refusing to comply with any reasonable request for an extract. If honourable members or their officers, who have suffered in any way from the refusal of patwaris to give extracts in reasonable circumstances, can suggest any means by which we can better enforce this rule, I shall be only too glad to consider it. The issue of instructions is all right so far as it goes. But instructions are forgotten in a year or two, and the same complaints arise again. As regards the revision of the amounts charged now for extracts, I am quite prepared to consider them and see whether they work hardly or otherwise.

Raja Jagannath Bakhsh Singh: From the speech of the honourable Member of the Board of Revenue I have drawn the same inference that he has stated the rule as it exists in the Manual of Land Records merely provides for the supply of extracts or rather partial information. My object was to bring the matter of the village or the mahal as a whole to the notice of the Government. If I were to suggest some ways and means I should say that the same ways and means might be adopted that are adopted in the case of supplying the extracts. Just as there is a provision (rule 24 in the Manual) for the supply of extracts or partial information from the *jamabandi* so there should be another provision for the supply of copies of the whole *jamabandi*, and if rates that are fixed for that purpose are reasonable, I think the question can easily be solved.

Now the only point remains that the rates should be reasonable. I think we can leave that to the decision of the Government. I think the Government will fix reasonable rates and I need not make a suggestion in this respect. I hope my suggestion will be acceptable to the Government.

The Hon'ble the Finance Member: Sir, we will certainly consider the suggestion which my honourable friend has made—it is rather a novel one—but it might be a good thing to arrange to give copies of the patwari's complete records. This will, however, have to be done in the tahsil rather than by the patwari, as the average patwari has got plenty of work to do; and to turn him into a temporary copyist might interfere with his other duties.

The motion was, by leave, withdrawn.

Raja Jagannath Bakhsh Singh: Sir, I beg to move . . .

The Hon'ble the President: Is there any objection to this being moved?

The Hon'ble the Finance Member: No, Sir.

Raja Jagannath Bakhsh Singh: Sir, I beg to move that under sub-Lead Land Records—Total, a reduction of Rs.10 be made.

Under this motion I wish to draw the attention of the Government towards the supply of village maps. I do not think I need very much strengthen my case after I have spoken about the *jamabandi*. Copies of village maps are no less important for the owners of villages and mahals. The practice, as it stands at present, is that during the settlement time when the settlement operations take place in districts a notice is given that the mahal owners should apply for the village maps if they so desire. Those who do not take copies of corrected maps then, I do not think, can obtain copies after the settlement is over, unless some spare copies are available in the Land Records Office. Now the duration of a settlement is a pretty long one and of course the Government will not be inclined to take advantage of the ignorance of the general public. Everybody does not abide by this notification and take copies during the time of settlement. My submission is that those who wish to take copies of the village maps later on may be given similar facilities. I need not point out that between two settlements changes take place in many ways in proprietary rights in the same district. In some cases—perhaps in many cases—whole villages change hands. So I think it is no argument to advance that because the Government made a notification during settlement operations for the supply of village maps, they should not keep the maps available at all times. Then, Sir, there can be another point raised from the side of Government that the supply of village maps is a very big question. There are so many villages in each district of the province that it will not be possible for Government to keep the records of all those villages available. I may point out that just as there are so many villages under the control of the Provincial Government, there are so many districts under the control of the Government of India. But, if any one wants even a copy of the map of a very small portion of a district, and he writes to the Survey Office, India, he can get it within not more than two weeks. Consequently it is not the magnitude of the district which is obstructing Government, but it is perhaps the inefficient organization of the Land Records Office which might be the reason. From this instance, I can ask the Government to make such arrangements in the Land Records Office that they may be able to supply copies of maps to the people concerned during a reasonable time. Again, Sir, I may point out that ways are open to one to obtain authenticated copies from the tahsil. But this procedure is so expensive that it is not possible for an average person to avail himself of this opportunity. Nor, again, they have got the staff to cope with the work if a large number of people make such a request. I therefore think that the point is such which should deserve the attention of Government,

Rai Govind Chandra : Sir, there is another closely connected point in this connexion, to which the attention of Government should be drawn. In the *bahi-khatas* of zamindars it often happens that the entries get out of date, and they want that their *bahi-khatas* may be corrected by the patwari. In the estates managed by the Court of Wards it is possible to get the *bahi-khata* verified by the patwari, and to get his signature over it. But in the case of ordinary zamindars this facility is not provided for. I hope the Government will consider this point also in connexion with the supply of maps, which has been suggested by the Raja Sahib. Government can easily issue a circular to all patwaris to certify the entries in the *bahi-khatas* of zamindars, as is done in the case of the estates under the Court of Wards.

Rai Bahadur Babu Jagadeva Roy : There is a cut standing in my name, namely no. 15. My object is the same as that of the cut under consideration. I may therefore be permitted to add a few words here. Sir, the necessity of village maps is very much felt in the Ghazipur District and I brought this fact to the notice of the Government by putting a question on this subject about two years back. At that time the answer that was given was that an inquiry would be made from the District Officer about this. Whether that inquiry has been made or not, I have got nothing to do with that, but what I want now is that the Government should see its way to provide facilities to people to obtain copies at an early date. I may point out to the Government that Revenue officers insist in some cases, for instance, in cases of fixation of boundary stones, partition cases, and so on, that applicants should file along with their applications a map. The difficulty is that people do not get maps either on the spot or from the Government Press. So, I think that there is clearly a great demand for these maps and I hope Government will take early steps to see that people are provided with maps when they want them.

Mr. D. L. Drake-Brockman : My friend Raja Jagannath Bakhsh Singh has more or less correctly described the procedure as regards the retention and sale of village maps by Government. In recent years where there has been a proper survey and reproduction of village maps by some mechanical process, as has been pointed out, notice is generally given to all the landholders asking whether they would like to have copies of the maps relating to their villages, so that extra copies may be printed. In addition to those copies of the maps that are required for Government use, one copy for the patwari, one for the settlement volume, and so on, I think it has been the practice to keep four or five extra copies for sale with the Registrar qanungo. But if the Government undertook to keep large numbers of copies of these maps, obviously the amount of space required for storing would be very great and it is quite possible that we may never get a request for the sale of some maps at all, and they might merely rot away after having been prepared at Government expense. A comparison with the Survey of India maps is not quite a fair one. I think I am right in saying that they are large scale district maps—1 inch to a mile. In certain cases, like forest, you can get maps on the scale

of 4 inches to a mile. But our village maps are on the scale of 16 inches to a mile; in the hills they are 32 or 64, I am not sure which. Naturally the number of sheets required for village maps covering a whole district would be very much greater. So I think he will realize that the question of storage cannot be lightly dismissed. However, I quite agree that where litigants are called upon to produce maps or copies of maps, it may be very difficult to obtain them, because copies have to be traced and obtained from the copying department of the tahsil or headquarters, after payment of the usual fee. At the present moment I can see no way out of this, but the suggestion will be considered gladly and I shall see if there is anything to be done to facilitate in the preparation of maps or portions of maps required by the litigating public or interested persons.

As regards *bahi-khatas*, I could not fully understand what the honourable member said. We have no *bahi-khatas* among our records. The Court of Wards have a special document which they call "*bahi-khata*," but the only document we have of that name is the *bahi-khata jins*. I take it the honourable member is not referring to that.

Rai Govind Chandra: The Court of Wards have got *bahi-khatas*.

Mr. D. L. Drake-Brockman: That has no concern with the Land Records Department. Their *bahi-khata* is a departmental register.

Rai Bahadur Babu Jagadeva Roy: What has happened to the map that were prepared at the time of revision of records in Ghazipur District?

Mr. D. L. Drake-Brockman: Perhaps you are referring to the maps which were prepared at the time of the last survey in the Ghazipur District.

Rai Bahadur Babu Jagadeva Roy: Yes.

Mr. D. L. Drake-Brockman: I am not aware what happened them. There must be maps of that time—1880-1881. They must be in the tahsils.

Rai Bahadur Babu Jagadeva Roy: They are not available.

Mr. D. L. Drake-Brockman: Not even the original?

Rai Bahadur Babu Jagadeva Roy: It is with the patwari, but for sale.

Mr. D. L. Drake-Brockman: The only method of obtaining is by tracing from the map at the headquarters.

Rai Bahadur Babu Jagadeva Roy: Can we not get copies of maps from the Government Press?

Mr. D. L. Drake-Brockman: If the honourable member will have a note on the subject, I shall gladly look into the matter.

Raja Jagannath Bakhsh Singh: My object will be served if the member will consider this matter. I do not press the motion.

The motion was, by leave, withdrawn.

(The Council was then adjourned at 4.30 p.m., till the following day.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Wednesday, 18th March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m. The Hon'ble Sir Sita Ram in the Chair.

PRESENT (87)

<p>The Hon'ble Mr. J. M. Clay. The Hon'ble Kunwar Sir Maharaj Singh. The Hon'ble Nawab Sir Muhammad Yusuf. The Hon'ble Sir Jwala P. Srivastava. Mr. H. Bomford. Mr. J. L. Sathe. Mr. A. B. Reid. Mr. P. M. Kharegat. Mr. A. A. Waugh. Rai Bahadur Mr. Phul Chand Mogha. Mr. H. R. Harrop. Mr. H. J. Frampton. Rai Bahadur Pandit Brij Chand Sharma. Mr. Himmat Singh K. Maheshari. Khan Bahadur Munshi Mushtaq Ali Khan. Mr. Pratap Shankar. Rai Bahadur Ram Babu Saksena. Mr. D. L. Drake-Brockman. Mr. A. C. Turner. Mr. R. A. Horton. Khan Bahadur Maulvi Fasih-uddin. Mr. E. Ahmad Shah. Rai Sahib Babu Rama Charana. Mr. Perma. Chaudhri Ram Dayal. Chaudhri Jazarnath. Chaudhri Baldeva. Mr. Tappu Ram. Chaudhri Ram Chandra. Chaudhri Ghasita. Chaudhri Arjuna Singh. Rao Sahib Thakur Shiva Dhyau Singh. Rai Bahadur Kunwar Girwar Singh. Chaudhri Dhirya Singh. Rao Krishna Pal Singh. Rai Bahadur Kunwar Dhakan Lal. Thakur Balwant Singh Gahlot. Rai Bahadur Mr. Brij Lal Badhwar. Rai Bahadur Babu Manmohan Sahai. Babu Ram Bahadur Saksena. Rai Sahib Babu Kamta Nath Saksena. Kunwar Jagbhan Singh. Thakur Keshava Chandra Singh. Rao Narsingh Rao. Rai Sahib Ram Adhin. Mr. Bhondur Ram.</p>	<p>Rai Govind Chandra. Pandit Shri Sadayatan Pande. Raja Sri Krishna Dutt Dube. Rai Bahadur Babu Jagadeva Roy. Mr. Dahari. Rai Sahib Rai Rajeshwari Prasad. Thakur Giriraj Singh. Pandit Prem Ballabh Belwal. Thakur Jang Bahadur Singh Bisht. Pandit Brahma Dutt Bajpai. Rai Bahadur Thakur Hanuman Singh. Rai Bahadur Lal Sheo Pratap Singh. Thakur Muneshwar Bakhsh Singh. Rai Bahadur Kunwar Surendra Pratap Sahi. Mr. C. Y. Chintamani. Rai Rajeshwar Bali. Mr. Zahur Ahmad. Khan Sahib Sabibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad. Syed Yusuf Ali. Khan Bahadur Shah Nazar Husain. Nawabzada Muhammad Liaquat Ali Khan. Mr. Muhammad Rahmat Khan. Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan. Munshi Amir Hasan Khan. Khan Bahadur Saiyid Zahid Ali Sabz-posh. Khan Bahadur Saiyid Jafer Hosain. Khan Sahib Shaikh Afzal-ud-din Hyder. Khan Bahadur Maulvi Muhammad Fazl-ur Rahman Khan. Khan Bahadur Sardar Muhammad Shukirdad Khan. Khan Sahib Muhammad Imtiaz Ahmad. Shaikh Muhammad Habib-ullah. Raja Saiyid Ahmad Ali Khan Alvi. Raja Sir Muhammad Ejaz Rasul Khan. Raja Saiyid Muhammad Mehdi. Mr. L. M. Medley. Rai Bahadur Lala Anand Sarup. Rai Bahadur Lala Bihari Lal. Rai Bahadur Lala Prag Narayan. Raja Bisheshwar Dayal Seth. Raja Jagannath Bakhsh Singh. Munshi Gajadhar Prasad.</p>
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QUESTIONS AND ANSWERS

STARRED QUESTIONS

* 1—3. Rai Sahib Babu Kamta Nath Saksena : [*Postponed*]

NOMINATIONS TO THE ORAI MUNICIPAL BOARD

* 4. Rai Sahib Babu Kamta Nath Saksena : (a) Did the Government decide to have one more nominated member in the Orai Municipal Board to represent some special interest ; if so, on what date was the decision taken by the Government ?

(b) What is the special interest to represent which this additional seat mentioned in paragraph (a) of this question was created ?

(c) Were the District Magistrate of Jalaun and the Commissioner, Jhansi Division, consulted regarding the necessity of having this additional seat in the Orai Municipal Board ; if not, on what facts did the Hon'ble Minister for Local Self-Government come to the conclusion that the representation of this special interest was necessary in the said Board ?

(d) Is the Hon'ble Minister for Local Self-Government aware of the fact that the member nominated for this seat is the father of an elected member of the said Board ?

(e) Is it a fact that in the matter of nomination of this member, the recommendations of the District Magistrate of Jalaun and Commissioner, Jhansi Division, were disregarded ; if so, what were the reasons for rejecting these recommendations ?

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf) : (a) Yes ; on 28th August, 1935.

(b) Special interest as defined in section 9(2) of the United Provinces Municipalities Act.

(c) The Commissioner and the District Magistrate were consulted on the proposal to increase the total strength of the board, which involved the addition of a seat to be filled by nomination.

(d) The fact has recently come to my notice.

(e) Because the person nominated, who was recommended to Government in a public memorial from the citizens of Orai, was considered more suitable.

* 5. Rai Sahib Babu Kamta Nath Saksena : (a) Is it a fact that the present nominated lady member of the Orai Municipal Board is a *purdahnashin* lady ?

(b) Were any *purdah* arrangements made when this lady member was taken to vote at the time of the election of the Chairman of the Orai Municipal Board ?

(c) Is it a fact that the Commissioner, Jhansi Division, had recommended the nomination of a graduate lady for the seat ? If so, what were the reasons for not giving effect to the recommendations of the Commissioner on the subject ?

(d) Does the lady member possess any special qualifications, educational or otherwise, which justified her nomination in preference to the lady recommended by the Commissioner? If so, what are these qualifications?

The Hon'ble the Minister for Local Self-Government: (a) Yes.

(b) She attended the meeting in a *burga*. Government have no information as to details of the arrangement which was made for her to vote.

(c) The Commissioner's final recommendation was in favour of a graduate lady. But both he and the District Magistrate had earlier recommended the lady whom Government agreeing with what was originally the local officers' joint advice, decided to nominate.

(d) She has no special qualifications, but was preferred for the reason just mentioned.

Rai Sahib Rai Rajeshwari Prasad: With regard to part (b) of question no. 4, will the Hon'ble Minister please name the special interest referred to in the answer?

The Hon'ble the Minister for Local Self-Government: All the three special interests referred to in section 9(2), that is to say, depressed classes, women and special interests.

Rai Sahib Rai Rajeshwari Prasad: Am I to take it that the particular member nominated was to represent all the special interests mentioned by the Hon'ble the Minister?

The Hon'ble the Minister for Local Self-Government: No. My friend does not know the exact position. The constitution of the board was changed and the number was increased to 11 and so one more seat of nominated member had to be added under section 9(2).

Rai Sahib Rai Rajeshwari Prasad: Was this particular nominated member to represent any particular interest or not?

The Hon'ble the Minister for Local Self-Government: Yes.

Rai Sahib Rai Rajeshwari Prasad: What was that particular interest?

The Hon'ble the Minister for Local Self-Government: Bankers and merchants.

Rai Sahib Rai Rajeshwari Prasad: Did the Government inquire whether that particular interest was not already represented on the board?

The Hon'ble the Minister for Local Self-Government: This particular interest, as far as I am aware, was not represented as such.

Rai Sahib Rai Rajeshwari Prasad: Later on in the course of the same answer the Hon'ble Minister has said that the son of the member nominated was already on the board. How can it be that that special interest was not represented as both the father and son were there?

The Hon'ble the President: The father may have represented some other interest.

Rai Sahib Babu Kamta Nath Saksena: With reference to part (e) of question no. 4, will the Hon'ble Minister state who presented to him this memorial?

The Hon'ble the Minister for Local Self-Government : The public.

Rai Sahib Babu Kamta Nath Saksena : But who presented the memorial to the Hon'ble Minister ?

The Hon'ble the Minister for Local Self-Government : There were a large number of signatories to the memorial.

Rai Sahib Babu Kamta Nath Saksena : My question is who presented that memorial before the Hon'ble Minister ?

The Hon'ble the Minister for Local Self-Government : The representation was forwarded on to me. I cannot recollect how it came, but it was sent on to me.

Rai Sahib Rai Rajeshwari Prasad : May I know whether it came through the district authorities or direct to the Hon'ble Minister ?

The Hon'ble the Minister for Local Self-Government : I think it came direct to me.

Rai Sahib Rai Rajeshwari Prasad : May I know the time when the memorial was received by the Hon'ble Minister ?

The Hon'ble the Minister for Local Self-Government : That I cannot say.

Thakur Keshava Chandra Singh : Did the Hon'ble Minister consult the District Magistrate regarding the genuineness or otherwise of this memorial ?

The Hon'ble the Minister for Local Self-Government : There was no occasion as it seemed to be perfectly genuine on all accounts.

Rai Sahib Rai Rajeshwari Prasad : With regard to part (c) of question no. 4, the latter part of that question has not been replied, that is, on what facts did the Hon'ble Minister come to the conclusion that the representation of this special interest was necessary in the said board ?

The Hon'ble the Minister for Local Self-Government : It was necessary under the Act.

Rai Sahib Rai Rajeshwari Prasad : I wanted to know the circumstances.

The Hon'ble the Minister for Local Self-Government : I have already explained the circumstances because the required strength was necessary. Before this the Board was very small and as soon as the number was increased to 11, three nominations had necessarily to be made under section 9(2).

DISTINCTION IN GRANT OF ARMS LICENCES TO CERTAIN CIVIL OFFICERS

* 6. **Rai Sahib Babu Kamta Nath Saksena :** (a) Do the Government observe any distinctions in the matter of granting arms licences and charging fees for such licences between the Income-tax Officers, Deputy Collectors, and Civil Judicial Officers ? If so, what are these distinctions ?

(b) Will the Government consider the desirability of doing away with these distinctions in the case of all these classes of Government servants ?

The Hon'ble the Home Member (Kunwar Sir Maharaj Singh) : (a) The honourable member presumably refers to the fact that Deputy Collectors *qua* stipendiary magistrates are not required to pay fees for arms licences, while income-tax officers and civil judicial officers are.

(b) Under entry no. (7) of Schedule VII of the Indian Arms Rules, 1924, framed by the Government of India, exemption from the payment of licence fees is limited to officers whose possession of arms is declared by the Government to be in the public interest. In exercise of this power the Government have declared that certain officers who have duties of an executive nature in the maintenance of law and order should be allowed to carry arms in the public interest. Income-tax officers and civil judicial officers have no such duties placed upon them by law and Government do not consider that the carrying of arms by them can be regarded as in the public interest.

* 7—9. **Rai Sahib Ram Adhin :** [*Withdrawn.*]

INTERMEDIATE CLASSES IN THE GOVERNMENT GIRLS' HIGH SCHOOL,
BAREILLY

* 10. **Syed Yusuf Ali :** (a) Is the Government aware of the immediate demand of Bareilly public for opening intermediate classes in the Government Girls' High School, Bareilly?

(b) Does the Government intend doing anything in that direction in 1936?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava) : (a) A number of persons in Bareilly have requested the opening of intermediate classes in the Government High School for girls.

(b) The matter is under consideration.

* 11. **Syed Yusuf Ali :** Has the Government any objection in opening at least 1st year class this year in the above-mentioned school at Bareilly? If so, what?

The Hon'ble the Minister for Education : Does not arise.

TERM OF THE CHAIRMAN, BOARD OF INDIAN MEDICINES,
UNITED PROVINCES

* 12. **Pandit Shri Sadayatan Pande** (*absent*) : Will Government be pleased to enlighten the House on what principle the term of the Chairman of the Board of Indian Medicine, United Provinces, has been made permanent?

O. no. Date
*5 11-3-35

The Hon'ble the Minister for Local Self-Government : The term of the Chairman of the Board of Indian Medicine, United Provinces, has not been made permanent.

* 13. **Pandit Shri Sadayatan Pande** (*absent*) : (a) Is it a fact that his term does not expire with the termination of the life of the Board?

*6 11-3-35

(b) If this is a fact, why does his term also not expire with the expiry of the term of the Board?

The Hon'ble the Minister for Local Self-Government: (a) Yes.
(b) The honourable member is referred to the answer given to his question no. 2 of 12th December, 1934.

O. no. Date
*7 11-3-'36

* 14. Pandit Shri Sadayatan Fande (*absent*): [*Postponed.*]

SUSPENSION OF WORK IN THE CASE OF HONORARY MAGISTRATES AND HONORARY ASSISTANT COLLECTORS

*8 11-3-'36

* 15. Pandit Shri Sadayatan Fande (*absent*): Will Government kindly state whether District Magistrates are empowered to stop or suspend the work to be done by the Honorary Magistrates and Honorary Assistant Collectors for an indefinite period?

The Hon'ble the Home Member: District Magistrates are empowered to stop sending work to honorary magistrates and honorary assistant collectors for adequate reasons.

*9 11-3-'36

* 16. Pandit Shri Sadayatan Pande (*absent*): In how many districts have District Magistrates stopped such honorary magistrates and collectors from entertaining complaints and doing revenue work during 1934-35?

*10 11-3-'36

* 17. Which are those districts? What are the names of the courts and on what grounds have actions been taken? Since what period has court work been stopped in these courts?

The Hon'ble the Home Member: The collection of this information will result in labour and delay. If the honourable member has any complaint to make on behalf of any particular honorary magistrate, Government will be glad to make the necessary inquiry.

EXTENSION OF CANAL DISTRIBUTARIES IN AHRAURA AND MADHUPUR

*11 11-3-'36

* 18. Pandit Shri Sadayatan Pande (*absent*): What are the prospects of extending the canal distributaries in the neighbourhood of Ahraura and Madhupur?

The Hon'ble the Finance Member (Mr. J. M. Clay): The proposal to extend irrigation in the neighbourhood of Ahraura is under consideration. The proposed Madhupur channel would not pay even its working expenses and it is not therefore intended to proceed with its construction.

HYDRO-ELECTRIC SCHEME OF MIRZAPUR

*12 11-3-'36

* 19. Pandit Shri Sadayatan Pande (*absent*): Will Government say how far the hydro-electric scheme of Mirzapur has progressed and by what time is it likely to materialize?

The Hon'ble the Finance Member: The honourable member is referred to the answer to the question asked by him on 21st February, 1935. No further demand for electric power has been received and no scheme will materialize until sufficient load is obtained to make it pay.

CANAL ADVISORY COMMITTEE IN MIRZAPUR

*13 11-3-'36

* 20. Pandit Shri Sadayatan Pande (*absent*): Will Government please inform the House as to why the establishment of a Canal

Advisory Committee in Mirzapur is being avoided despite repeated demands?

The Hon'ble the Finance Member : The only gazetted officer in the Mirzapur Canal sub-division is the Assistant Engineer in charge. The rules framed for Canal Advisory Committee are not applicable to a sub-division and it would not be possible to form an Advisory Committee at Mirzapur under these rules. As the irrigated area is small and confined to the *kharrif* season, an Advisory Committee does not seem to be required in the Mirzapur sub-division.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS
FOR GRANTS

GRANT NO. 8 : 5—LAND REVENUE

The Hon'ble the President : We may now resume the discussion on the demand.

Raja Saiyid Muhammad Mehdi : Sir, I beg to move that under the entire head, a reduction of Re.1 be made.

My object in moving this cut is to draw the attention of the Government to the delay caused when applications are made in revenue courts for recovery of rent under sections 184 and 185 of the Land Revenue Act. For some time the lambardars and proprietors have suffered a certain amount of hardship. It is laid down in paragraph 934 of the Revenue Manual that so far as they are consistent with these rules the rules in force for the collection of arrears of revenue shall apply to the procedure under section 184 and the same diligence shall be employed in enforcing payment as in the case of arrears of revenue. A similar provision is laid down for the recovery of revenue when an application is made under section 185. But what courts usually do is to attach movable property ; and sometimes no property is found and sometimes a very small sum is realized. The lambardars and proprietors have to pay Government revenue in due time and I have found that in some districts most of the lambardars and proprietors find it impossible to get any substantial portion of revenue realized, and they have to file regular suits and thereby incur large expenses. I know of another district where the District Magistrate realized the amount as arrears of revenue, and two and three years' arrears were realized speedily. I hope, Sir, that the Government would issue instructions accordingly.

Mr. D. L. Drake-Brockman : Sir, the Government are well aware of the difficulty to which the honourable member has drawn attention. The rules on the subject, however, are clear and the real trouble is that the local officers do not take that interest in the realization of under-proprietary rents which, under the wording of the rule, they ought. All I can say is that the matter will be borne in mind and steps will be taken, so far as possible, to enforce compliance with the rules of Government by the local officers. It is not possible to say at this stage exactly what will be done, but I hope the honourable mover will rest assured that his wishes will be met as far as possible.

Shaikh Muhammad Habib-ullah : Sir, I say from experience—that experience is not an experience of a year or even a decade, but it is thirty years' experience—that the way in which the local revenue collecting agency behaves in giving effect to the provisions of law under section 184 is really deplorable. They find that they can easily collect the revenue and rent from either the lambardar or the proprietor and they therefore never bother in the least to demand the revenue from small co-sharers, or under-proprietors. The result is that while they pay up the revenue in time, it takes some time as much as a year that that revenue is realized, and in many cases applications under section 184 are ignored and they have got to file regular suits in court to realize that revenue. I think it is high time that Government should rigidly enforce their orders in this matter and call upon the local authorities to do their best to collect the revenue from the small co-sharers failing which they may collect it from the superior landlords. After all, there are processes laid down in law which they can issue against those defaulters, but they do not do so deliberately because they know of the more easy way of collecting the revenue from a person who will pay it, regardless of the inconvenience he will be put to in realizing it from the small co-sharers. It causes at times annoyance and even indignity to pay this when we know that the revenue collecting agency, the tahsildar, will not deliberately demand the revenue from those people and when he is asked to do so he simply refers one back to the wording of section and says, "You are responsible," forgetting all the while his own responsibility first to collect it from those people and failing to collect it from them to collect it from us. I hope Government will see that the orders in this respect are rigidly enforced.

Raja Saiyid Muhammad Mehdi : As the honourable Senior Member of the Board says that he is going to see that the rules in the Revenue Manual are more rigidly enforced I beg to withdraw the motion.

The motion was, by leave, withdrawn.

Raja Jagannath Bakhsh Singh : I beg to move that under the entire head a reduction of Re.1 be made.

In moving this motion I wish to raise a point which I raised in this House more than once in past years. My object is to draw the attention of Government to the necessity of better facilities in the collection of rents. In 1934 I raised this point and supported the proposal with various reasons. I then went into great detail in regard to this matter. I do not wish to repeat all those things this morning. I shall try to be very brief in view of the time at the disposal of the House. There is one point which I must make very clear before I proceed to put my motion, and it is this, that my object in moving this matter is not so much for the convenience of the landholder as for the convenience of the tenant. I say so, Sir, because after all the arrears which accumulate from year to year are in many cases recoverable; it is in comparatively few cases that the arrears are not recoverable. When it is not possible for a tenant in these hard days to pay his rents fully at due time it is hardly possible for him to pay his accumulated arrears. Every landholder and every tenant is aware that there is provision in the revenue law for suspension and remission of rent on account of calamities. When such calamities occur, if there is any way for the tenant to pay his rent he would like to pay it. I mean to say that the tenant never

welcomes suspension ; he would like to have his rents remitted, but not suspended as far as possible, because he knows and knows well that after all the suspended rents will have to be paid at a time which may be much more inconvenient to him. Consequently the payment of accumulated rents is always very hard and very exacting. In fact I know of many cases in which it ruined the tenant. We know how hard the provision of the law is in regard to the collection of revenue, but we do not object to it, merely because we know that if we do not pay our revenue in due time accumulation will be disastrous. I therefore think I am supporting the case of the tenants when I say that the law and other rules should be such as to compel him to pay his dues at due time. I have not to prove that the law in regard to the collection of rents is such which can be easily satisfied. I have not to prove that the courts are rather indifferent in this matter. They are lenient and the tendency of late has been towards increase. This I do not say of my own accord but I can quote the authority of the late Finance Member on this point. When I moved this cut in 1934 in the second speech the Hon'ble the Finance Member said "For various reasons, some of them good and some of them bad, there was a definite tendency before and that tendency is actually fostered by the undue leniency of our courts." This is an admitted fact. In the first place the law is lenient and in the second place that leniency is much more increased by the tendency of the courts. Consequently the result is what I showed at that time from the reports of the Government in this matter, that while the percentage of the revenue collection in these provinces was in that year and I think continues to be over at or about the figure 99 per cent. the collection of rents was and is somewhere between 50 and 60 per cent. Again I shall not proceed to strengthen my point with any arguments of my own it will suffice for me to make a few quotations from the speech of the Hon'ble the Finance Member who was then in charge of this department.

The Hon'ble the President : Is it necessary, in view of what the Hon'ble the Finance Member said yesterday?

Raja Jagannath Bakhsh Singh : Very well, Sir, I shall for go that if it is admitted. May I be permitted just to point out how important he considered this matter and that he in a way gave a sort of promise to solve this difficulty as soon as possible. I think the quotation has a very important bearing on the subject-matter at this time. In this connexion the Hon'ble the Finance Member said "Taking the debate as a whole it becomes clear that some solution must be found." Later on in the same paragraph he said. "At all events I can say, that this is a very real and important problem and that it is high time that it was taken into consideration by the Government, and that as far as I am personally able to influence the matter it shall be done." In this way, Sir, he gave us hope and expectations that the matter will receive a very immediate and full attention of Government. In the year 1935—the next year—I again raised the point; but to our great regret the then Finance Member was not well enough to attend the House and temporary charge of his department was taken by the then Home Member. He could not say more than what he said in his reply to the debate. He said, "As regards the proposal of my friend Raja Jagannath Bakhsh Singh, the matter has been under the consideration of Government. There was a debate on this point last year. If my

[Raja Jagannath Bakhsh Singh]

honourable friend will make a concrete proposal showing the way in which Government should help landlords in collecting rents we shall consider it." After that I think this is the first opportunity that I take of reminding again the Government about the urgency of this matter. I think there are various ways to remedy this defect; but to avoid making a lengthy speech and putting the matter as briefly as possible I think it would be better if the Government appointed a committee of officials and non-officials to consider the ways and means as to how to solve this difficulty. A matter like this can hardly be decided on the floor of this House as to what ways and means should be taken to come to a correct conclusion. I therefore think, Sir, the best way will be to appoint a committee and that the Government will be pleased to take action in this direction as soon as possible.

Rai Bahadur Lala Anand Sarup : Sir, I rise to support my friend, and the Leader of my party, on the motion he has moved. Sir, the matter has been discussed more than once on the floor of this House that the District Magistrates do not help the zamindars in the realization of their rents from the tenants, hence they find it difficult to recover the rents in time for the payment of land revenue. Sir, I know many instances of my district, Muzaffarnagar, where tenants do not pay their rents in time and their arrears are accumulated to many years. Proceedings under section 81 are taken against them by the zamindars but time after time is allowed to them and when they cannot pay the rent, they make some sort of objection or the other and the zamindars are required to deposit the court-fee and afresh proceedings are taken. Even when the court orders ejectment, they do not leave the holdings but continue to cultivate them. Zamindars have therefore to take proceedings under section 44 of the Agra Tenancy Act or to take criminal proceedings against them. All this procedure takes three or four years; rents accumulate and they cannot recover them. After that they either abscond or become paupers and the whole rent becomes irrecoverable. Of course Government gets its share of the land revenue all right, so I think the Government should take steps so that such bad tenants should not continue on their holdings.

The House is well aware that the water rates are very high and are beyond the capacity of the cultivators. The district authorities and the special staff deputed to collect these water rates leave no stone unturned to realize these water rates and they do not care whether the rents are paid to the zamindars or not. I will discuss this matter about the water rates minutely when the irrigation budget will come but here I would like to say that the district authorities should be instructed that the rents of the zamindar should also be recoverable by the tenants along with the water rates.

My friend Rao Krishna Pal Singh yesterday said that the rents of the occupancy tenants are much lower than those of the statutory tenants and the statutory tenants cannot pay these high rents, and that the permanency of tenure of the statutory tenants is less than that of the occupancy tenants. Mr. Higginbottom has also mentioned this in his note on the Unemployment Committee and I agree that these rates should be equalized as far as possible and more permanency be given to

statutory tenants. I think that these two questions are very important and in my opinion they can easily be solved if the Government would come forward with permanent settlement in these provinces and make the revenue permanent and ask the zamindars to have their rents also permanent. I think these two questions can be solved if permanent settlement is introduced in these provinces. I agree with my friend Raja Jagannath Bakhsh Singh that a committee should be formed of officials and non-officials to deal with this whole question.

With these few words I resume my seat.

Rao Sahib Thakur Shiva Dhyani Singh :

(راجہ صاحب قیام شیونہیان سنگھ) —

جناب پریسڈنٹ صاحب —

آج کونسل کے سامنے نہایت اہم معاملہ درپیش ہے — اُس کو مد نظر رکھتے ہوئے ہر ایک صاحب سے یہہ استدعا کرونگا چونکہ آج ہمارے بچوں کے تعلیم (education) کی بحث کا بھی دن ہی اِس لیے اِس بحث میں کم وقت صرف کریں — میں کچھ باتیں بطور اطلاع عرض کرونگا زمیندار صاحبان آج نازک وقت میں بھی مالکذاری گورنمنٹ کو ٹھیک وقت پر ادا کرتے ہیں وہ چاہے کسی طرح سے بھی ادا کریں چاہے اُن کو (tenant) سے وصول ہو یا نہ ہو — لیکن وقت پر ادا کرنا اُن کا لازمی فرض ہے — اسی بادشاہ کی ہم رعیت اور اسی بادشاہ کی (tenant) رعیت زمینداران کے لیے کوئی (facility) ہونی چاہیئے تاکہ ہم کو اُن سے وصول پانے میں آسانی ہو — زمینداروں سے وصول کرنے کے لیے افسران مقرر ہوتے ہیں احکام نکلتے ہیں اگر تھوڑی سی زمینداران کی وصول یاہی میں مدد کی جاوے تو وہ لوگ بھی اتنے زیادہ پریشان نہ ہونگے *

The Hon'ble the President:

پھر زمینداروں کی کیا ضرورت رہیگی ؟

Rao Sahib Thakur Shiva Dhyani Singh :

علاوہ اُس کے ایک مرتبہ گورنمنٹ نے زمینداروں کے ساتھ بہت احسان کیا تھا — وہ احسان اب تھوڑے دن سے خاموش ہو گیا ہے — اگر پھر اُس کو (renew) کیا جاوے تو پھر بہتری ہو جاوے گی — یعنی وہ احسان کاشتکاروں پر لگان دینے میں قائم کی پابندی تھی — اگر پھر یہہ قائم کی پابندی عاید کر دی جاوے تو امید ہے کہ زمینداروں کا لگان (due time) میں وصول ہو جائے — جو صاحب اپنے آپ کو نمبردار کہتے ہیں اُن سے پوچھئیئے نمبردار صاحب آپ کو پتیدار سے روپیہ وصول ہو گیا ہے — پتیداروں سے روپیہ وصول ہونے میں کیا کیا آفتیں سامنے آتی ہیں — اُن کو (litigation) کرنا پڑتا ہے کچھ پری میں جانا پڑتا ہے دوسروں کی عیوضی — وہ چھوٹا نمبردار اپنی جڑ اپنی چھوٹی سی، گھوڑی پر سوار ہو کر جب کچھ پری میں جاتا ہے اُسے جن جن مصیبتوں اور خوشامدوں کا سامنا کرنا پڑتا ہے اُس سے آپ صاحبان واقف ہونگے ایک دفعہ کا واقعہ ہے کہ ایک چھوٹا نمبردار اپنے پتی دار پر نالش کرنے کے واسطے تحصیل گیا — تحصیل جاتے وقت اُس نے سوچا کہ تھوڑا سا اناج بھی فروخت کرنے کے لیے لے چلو — غریب ایک گاڑی اناج لیکر تحصیل کو چلا — چونکہ تحصیل کا کام دیر سے شروع ہوتا ہے اِس لیے اُس نے

Rao Sahib Thakur Shiva Dhyau Singh.]

सोचा कि पहले आंच को नरोखत कर लो, - चमनाच, वह आज मबल ३० रूबिह में नरोखत हो - और रूबिह के बचाने नोट अस को मले - वह गुरिब अस दिन के कहाने के लिखे गेह से रूबिह और आचार रूमाल में बान्दह कर लाया था - आज बिह कर गुरि नोच के के ३० रूबिह की नोट गेह अस ने रूबिह के साथे रूमाल में रकभ लिखे थे - अस की नकाह बिह जाती ही बिल का रूख खुशबू की वजह से रूबिह की طرف होना ही और वह अस गुरिब की रूबियां से नोटों के कहा जाता है - अब आप देखेंगे कि उन रूमालों में कलशों को कलशों की मसिबत का सामना अस तरह से होता है - वह बिहारे अपने पत्नीदारों से मालगदारी वगैरह के लिखे नालिश करने के लिखे तखसिल आया था बन्समती से गेह मसिबत अकली - एल्लो अस के बानी की शर्ज की बात कौन्सल के सामने कहा कि नाकल गेह बात है - अस का नमूना गेह ही कि (Mat Branch) से आज कल जो अब बाधियां होनी चामिनीं तेहिं खस तर पर आज १८ तारिख होचकी है और निशकर की अब बाध के लिखे अब कल बानी (अब गेह में नहीं आया है - बल्लाह अगर अस दंत गेह कलशों में अपने कलशों को बलिह कर के गेह न होचके तो कहाँ के रूबिह - लहदा गुरनमंत हमार और गुरन करे - अन एला से में (अब) की तायिद कहाँ हों *

Chaudhri Dhira Singh :

चौधरी धीर सिंह,

जनाब प्रेसिडेन्ट साहब—

इस बारे में जो orders ने काम किया था उससे किसी हद तक फायदा पहुंचा था, मैं इसके लिये अर्ज करूंगा कि अगर ऐसे आर्डर ठीक तरह से लगाये जायें कि अगर फलां वक्त तक काश्तकारान लगान अदा न करेंगे तो खेत से बेदखल कर दिये जायेंगे । यह आर्डर अब dead letter की तरह से हो गये हैं और उन पर कोई अमल नहीं होता । जब तक काश्तकारों को यह पता रहा कि ऐसे आर्डर्स हैं तब तक वह लोग वक्त पर रुपया देते रहे लेकिन जब उनको इसके बाबत यह पता चला कि हुकामान जिला इस तरफ पूरी निगहदास्त नहीं करते हैं तो उन्होंने वक्त पर रुपया देने से अपना तबज्जह हटाली और रुपया वक्त पर अदा करना बंद हो गया, आज इन आर्डर्स को लोग डाकखाने में पड़े हुए गुमनाम खत की तरह समझते हैं अगर यह फिर हो जावे तो रुपया ज़मींदारान को ठीक वक्त पर वसूल हो जाया करै मगर ऐसा होने से गवर्नमेन्ट का उकसान पहुंचेगा क्योंकि ऐसी हालत में court-fees नहीं आवैगी जब कि गवर्नमेन्ट बढ़ाने की फिक्र में है । मगर सरदस्त तो इस में ज़मींदारों के फायदे को कोई शकल नज़र नहीं आती अगर date fix हो जावे कि फलां तारीख तक काश्तकार रुपया दे दिया करै तब तो ठीक है मगर ऐसा होने की हमको तो कुछ उम्मेद नहीं मालूम होती ॥

Pandit Shri Sadayatan Pande : I do not propose to take much time of the House, but I do wish to bring a few points to the notice of the Government in connexion with the question of land revenue. The

various difficulties through which the zamindars have to face in collecting their revenue have already been made absolutely clear by various speakers on the floor of the House. Every landholder has, as we all know, to forgo a considerable amount of the dues from his tenants for his inability to collect them. The procedure of collecting the rents by resorting to courts has proved to be very cumbersome and expensive. When a suit is filed for the recovery of rents in the courts, various dilatory processes have to be gone through, and then when after a year or two a zamindar is able to get a decree against the tenant, the execution of it has got to be stayed for one reason or another. But if after a few months the execution of the decree is again ordered by the courts, sufficient property is not to be found in satisfaction of the decree. I cannot suggest offhand any effective means to remedy this evil. So it appears to me that the best thing for the Government would be to appoint a committee for the purpose. This Committee, if appointed, could certainly suggest ways and means to solve this very intricate problem, and when a solution has been found that would go a great way to remove the hardships of the zamindars in realizing rents from their tenants.

The Hon'ble the Finance Member : As several of the speakers have mentioned this subject has come up on, I think, two previous occasions; and I did refer to it in my introductory speech. It is not at all an easy problem for solution, but there seem to me two obvious methods which offer themselves for consideration. The honourable mover of the motion said that the law itself was lenient and that things were made more difficult for the zamindar by a lenient interpretation of the law. If we accept these two propositions, there are two obvious methods of making things easier for the zamindar, the first by amending the law. That is within the power of any honourable member of this House. I mean he can bring forward a Bill, if he thinks that it would obtain general support, to tighten up the provisions of the law, which were revised not so very long ago. For my own part I hardly think that any honourable member would undertake to sponsor a private Bill at the present juncture. But there is another alternative solution of this problem, and that is to see that the existing provisions of the law are more rigidly, punctually and strictly enforced. I believe that at the bottom of the complaints to which we have listened on this occasion and on previous occasions, is the fact that the courts do exercise their discretion in a way which is not always reasonable. The reason for this is connected, as everybody knows, with the present state of affairs viz. the great fall in agricultural prices and the difficulty which as a result many tenants find in paying their rents. It is quite possible that this idea is in the minds of some tahsildars and other revenue courts somewhat exaggerated and that they do treat recalcitrant tenants with excessive leniency. The real remedy is to bring to the notice of the Collector or the Deputy Commissioner or the Commissioner concerned any unreasonable attitude which may prevail in any court in order that, if necessary, the presiding officer may be reasoned with and spoken to. I said yesterday in my opening speech that the real remedy for this state of affairs lies in making quite certain that the present level of rents is reasonable and that they are such as can be paid without difficulty by the tenants in an ordinary year. Once we have

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assured conditions of this kind, Government will have no objection whatever to issuing general orders calling the attention of all revenue courts to the fact that the provisions of the law with reference to giving zamindars assistance in the recovery of their rents must be strictly and punctually observed. That is the real solution to my mind of this difficulty and, as I said yesterday, we are now proposing at as early a date as possible to set about bringing back this desirable state of affairs by resettling and revising the settlements of the districts of the province. I am afraid that this process will take time, though, as I said yesterday, the Government will use their best endeavours to reduce the period as much as possible. Once the process has begun I hope that honourable members will see that there will be some difference in the attitude adopted by revenue courts to recalcitrant tenants when their zamindars bring suits or make applications against them for the recovery of their rents.

I do not think any purpose will be served by appointing a committee, because it does not seem likely that that committee could suggest any other solution of the problem than that which I have just indicated. The Government will bear that suggestion in mind and they will also give attention to the remarks which have been made by honourable members this morning. I hope that with that assurance my friend will be satisfied and withdraw his cut.

Shaikh Muhammad Habib-ullah: Sir, the Hon'ble the Finance Member has in a way thrown out a challenge to the members of this House that if they think that there is any defect in law somebody should sponsor a Bill. Sir, I accept that challenge on condition that the Government will adopt a correct revenue policy. So long as their revenue policy is defective and so long as they do not make sufficient allowance for the share of the tiller of the soil, these things will go on. Out of 100 cases that are brought against tenants (statutory tenants in Oudh) in at least 60 or 70 per cent. I find that tenants do not deposit their arrears and they are ejected. Why? Because they think that the present holding which is not an economic holding is not paying. If the holdings were paying and were to suffice for the maintenance of the tenants they would certainly be more prompt in paying rents as the zamindars are in paying their revenue. Now, Sir, why should Government succeed in realizing its revenue by attachment of a share or patti belonging to a zamindar? Because it is very easy to either transfer it or to sell it and get the money. Does it apply equally in the case of a tenant who is in arrears? Supposing a zamindar ejects him, can he always get the arrears from the tenant? In many cases he cannot even get the old rent from a tenant when he is ejected. Sir, the revenue policy of this Government is not its own policy. I have always said that that policy has come from very old times. That it is the policy adopted by Todar Mal in the time of Akbar. In that policy there was a definite share allowed to the tenant. Now, Sir, if we analyse the share of a tenant left in the produce of his holding, we will find that the tenants even are divided into different classes namely occupancy tenants, statutory tenants and so on and so forth. There is no proportion between the share of any class of tenants. Such is the difficulty of the present policy. There was no

such policy in the time of Todar Mal. There was no differentiation in those days between an occupancy tenant and a statutory tenant, and so on and so forth. This is the creation of the British rule—a rule which never knew about the revenue policy to be adopted in these provinces. The Government blindly accepted the policy and modified that policy when they did not know whether that modification was correct or not. Sir, we have launched upon a new system, based on what—on prices. May I ask the Government whether this new system is likely to succeed and why should it? Unless we go to the bottom of the genesis of this system, we cannot say that the present system is going to succeed. After all, what does “price” mean? It means the value of the share of the produce left to the tenant. So long as we do not fix this, we cannot say that our policy is sound. The Government’s share out of Rs.100 which a land owner gets is Rs.40. But what is the share of a zamindar out of the produce of a tenant? It is not at all defined. In old times it was half and half. Now, as the prices went up, the tenants came and said “Oh, no, *butai* is *lutai*; and we want to pay cash.” But what is the condition of the share of produce of tenants today? Will Government please compare it in the case of an occupancy and a statutory tenant, and so on? So, Sir, so long as each set of tenants does not get his full share—I mean share which will cover the cost of seed, labour and irrigation and which will leave a sufficient margin, as is left to a very ordinary labourer, I think cultivation is not worth its while. So, the answer which the Government have given to the mover of this resolution may seem superficially a good answer; but when it is analysed, I think it is impossible to rectify the mistake unless and until the Government fix the share of the produce to the tenant, and also fix the share of the produce to the landowner. That can only be done by means of permanent settlement. So long as this is not done, no fixity can be secured, and the condition of the tenant as well as that of the landlord will go from bad to worse. At times it may fluctuate. It may go from worst to best at one time, and then it may go back from best to worst.

Rao Krishna Pal Singh : Sir, I have a motion in my name. I will not take very long; but I would like to bring one or two facts to the notice of this House. Although I agree with the arguments put forward by my honourable friend Shaikh Habib-ullah, I do not seem to agree with his conclusions. I do not think that permanent settlement would really be the proper cure. In fact what is needed is that revenue should be a portion of the actual income of the zamindar. The trouble is that Government assumes that the zamindar is going to receive a certain income and he is required to pay revenue before he has actually collected the amount of income. Therefore, Sir, . . .

Shaikh Muhammad Habib-ullah : On a point of explanation. I said that as there is a definite share of Government in the share of the landowner, there must be a definite share of the tenant in the produce of the holding.

Rao Krishna Pal Singh : I absolutely agree with Shaikh Habib-ullah Sahib on this point. The policy of collecting revenue

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in kind was not wrong, because in that case the tenant knew how much produce he was going to have, the zamindar knew what his share would be and then the Government took its share from the zamindar. Now what happens is that the tenant does not know what his produce is going to be, his rent is fixed in cash and he has to pay that rent whether he gets a certain yield from his land or not. Zamindar has to pay revenue to the Government without knowing what his collections would be, and therefore the assessment of 40 to 60 is almost a farce. A real change in the policy can only be brought about by assessing revenue on the actual collections which the zamindar is able to get and not by collecting revenue before he has been able to collect his rents.

Khan Bahadur Saiyid Jafer Hosain: Sir, I have also a cut motion standing in my name and it would be just as well to speak on the motion of my honourable friend Raja Jagannath Bakhsh Singh.

I consider that the time has come when Government should consider the question of fixing the rents of the tenants on a more equitable basis. I would not go to the length of saying that all the present assessments of rents in respect of statutory tenants are excessive. There may be some cases in which they are, but in the majority of cases the rents fixed for statutory tenants are equitable and economical, economical in the sense that they are competitive, and therefore in cases in which the rents are found to be excessive, of course there may be ground for reducing those rents. But the main point to which I wish to draw the attention of the Government is that in places where sugarcane and cotton is extensively grown, the general tendency is to let out land on higher rents. But as a rule tenants even in those tracts are, not inclined to pay their rents. But this question of remission of rent is one which the Government will have to tackle and the sooner it is tackled the better. I know there is no legal bar in this connexion, but we have found in actual practice that in some of the districts when a tenant has defaulted for more than two or three years and when a suit for arrears of rent is brought, even in that case the court generally allows remission, with the result that the poor zamindar has to wait for three years before he files a suit and another year before he can possibly expect to get back his arrears of rent. This, I submit, Sir, is highly unfair. I hope that this matter will be considered very seriously. I can include the district of Miradabad in the category of those districts where they always allow remission to tenants, no matter whether they are in arrears for two or more years. But considering that the zamindar has to pay his revenue regularly and there is no respite for him in this respect, equity demands that at least those tenants who default for more than one year should not be allowed remission of rent.

Raja Jagannath Bakhsh Singh: Sir, the Hon'ble the Finance Member has correctly put the position as I tried to make out in my speech. It is quite true that the law in this behalf is not as strong as it is in the case of revenue collections. The Hon'ble the Finance Member invited some of us to bring an amending Bill on this point. Sir, I need not remind the House that during the fifteen years and some months that this constitution has been in existence no non-official

member has piloted a single Bill on revenue or rent matters, not because they are not competent to do so, but perhaps because there are so many difficulties in the way of non-officials to bring such a Bill before the House. I do not see why the Government should shirk this responsibility which they have shouldered single handed so far. If it were open to us to bring amending Bills on the subject of revenue and rent matters, the first amending Bill that I would have brought on the floor of this House would be to provide more facility in the collection of revenues from under-proprietors and to make less stringent laws relating to the collection of revenue by the landholders. But I do not think that the Government of these provinces would give me permission to approach the Government of India for such a Bill as, I think, it is necessary under the rules that I should obtain the permission of this Government and the Government of India. These are the various difficulties.

My second point is that the Government should give instructions to subordinate courts on this subject. This is another way of giving relief to zamindars. I think this House is not the proper place to discuss what instructions the Government should give to their subordinate courts, and it is for this reason that I have proposed, and I still stand on that proposal that if the Government accept my suggestion they should appoint a committee in this connexion which can discuss and come to conclusions as to the ways and means to be adopted. If that committee thinks that an amending Bill should be brought up by a non-official member then the position of that member will be strengthened by the committee's suggestion and he will get full support of the House. For the present I think it will be sufficient if the Government merely gives instructions to the subordinate courts in this matter. I therefore think that the best way to solve this difficulty, if the Government is keen to solve it and I have no reason to think otherwise, is for them to appoint a committee and to give us an opportunity to discuss ways and means.

Now, Sir, there is a third point which the Hon'ble the Finance Member raised in his reply. He said that if the rents that are to be collected are reasonable and if they are according to the capacity of the tenants to pay then the Government will afford all facilities so far as the courts subordinate to them are concerned. I do not think that we can be blamed if the rents are not reasonable; they are according to the rules laid down by them. The zamindar has always tried to comply with them so far as possible. When on account of economic conditions it was unavoidable to reduce the rents it was done by a stroke of pen without any rules and regulations. We agreed to that position, and that position has continued from year to year and it is now four years. I therefore submit that if there is any discrepancy in the level of rents we are not responsible for it. It was only the other day when the Government thought it proper to bring up an amending bill and an important section of the province yielded their rights and privileges, which they had not yielded so far, simply for the reason that the rents might be placed on a reasonable basis. If the rents are not reasonable I think we are not to be blamed for it and that this point should not have obstructed the acceptance by Government of my proposal. I am aware that the Hon'ble the Finance Member has got this matter before him. I am grateful to him that he mentioned it in his opening speech which

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shows that this matter is under his immediate consideration. He again today sympathized and did not brush aside the importance and the urgency of the matter. I am aware also that he will try his best in this matter. But, Sir, I hope he will consider that this is a very important matter. It has been brought before this House not once, not twice but many times and I hope that the Government will consider it proper that they should give clear statement as to how to solve this matter. I do not want to put difficulties in the way of the Government, nor do I wish in the least to put the tenants in difficulties at this time. It is for this purpose that I made it quite clear at the outset of my speech that I consider that any measures taken in this behalf will go a long way to relieve the tenants if they only saved him from the accumulation of his arrears. Therefore we do expect a very clear reply from the Hon'ble the Finance Member that something will be done and that can only be done by a committee because I do not expect Government to say even at this time that they will do this themselves. I therefore do not see why Government feel some difficulty in appointing a committee. I am glad that I have been fully supported by the honourable members who rose to speak on this subject, and this factor should not be lost sight of by the Government in coming to a conclusion in this matter.

The Hon'ble the Finance Member: Sir, I hope I made it clear in my first speech to all honourable members that Government are fully aware of the great importance of this question to all zamindars in these provinces. I trust I did not convey by my speech any suggestion that Government would not give their full attention and their sympathetic consideration to all the speeches that have been made today. I would add one point. I know that the Members of the Board of Revenue have on previous occasions taken notice, when cases came before them, of this regrettable tendency to delay in disposing of suits and applications by zamindars in this respect; and one thing the Government will do at once is to call the attention of the Board once again to the importance of this question and to send them the proceedings of today's debate for their consideration. I am certain that the Board will consider the speeches that have been made today carefully and will probably take some action, which will be much better done through the Board than by the Government.

With regard to my friend's proposal for a committee, I can assure him that we will give that matter consideration at an early date and, if it does seem likely that such a committee would be of assistance in finding some solution of this problem and that solution will be in time — because every one will agree with me that scant time is now left to the present Government to deal with new problems—we will not hesitate, Sir, to appoint such a committee at an early date.

Raja Jagannath Bakhsh Singh: Sir, after the reply given by the Hon'ble the Finance Member I do not wish to press my motion.

The motion was, by leave, withdrawn.

Rao Krishna Pal Singh: Sir, I beg to move that under the entire head a reduction of Re.1 be made.

Sir, this subject has received such lengthy attention of the House that I do not wish to make a very long speech, but it appears necessary to bring a few important points, which have not been dealt with by any honourable member so far to the notice of the House and the Government. The first point, Sir, which I would like to mention is a point which has been dealt with in this House during several debates in the previous years on this subject. That, Sir, is with regard to the issuing of coercive processes against zamindars. In spite of the promises made from time to time by Government, I find, Sir, that there are instances in which Government officials did not take necessary care before issuing orders for such coercive processes. Another fact which relates to this grievance is that these coercive processes are issued long before they are due. That is to say, Sir, they are issued in the beginning of the *flush* rather than towards the end when they should be issued against people who fail to pay land revenue in proper time. My friend on my left, (Munshi Gajadhar Prasad) put some questions to the Government, and the statement supplied to him by Government in reply to these questions would make this point very clear. These questions, Sir, refer to the year 1935, and it is shown that in the month of July in Allahabad district 243 warrants were issued. In the month of August, 106 were issued and in the month of September only 87 were issued. In Benares, Sir, the number was 42, 48 and 34 respectively. In Gorakhpur, 113 were issued in July, 127 in August and 76 in September. These figures, Sir, show that a larger number of warrants was issued in the beginning of the *flush* rather than towards the end when the payment of land revenue was being really delayed. I know, Sir, of similar instances during the current *flush* when coercive processes were issued in the beginning of February in Etah District. Apart from the humiliation to which a zamindar is put by the issue of such warrants, he suffers actual monetary loss. He has to go about borrowing money on high rate of interest and has to incur expenditure on furnishing security, etc. Therefore, Sir, these warrants should be issued after due consideration and at a time when other means have failed for collecting revenue. Therefore, Sir, I hope that this matter will receive the renewed attention of Government.

The other point which I wish to raise is with regard to the time allowed by courts in execution proceedings under section 79. Since the Hon'ble the Finance Member has just now assured us that Government will remind the Members of the Board about helping the zamindar, in accordance with existing provisions of law, in realizing rent I do not wish to say more; but I think it is necessary to lay a little emphasis on the way in which the courts deal with this matter. There are instances in which a tenant who has been sued not once, not twice but times out of number, is allowed indefinite period under this section. The result is that more tenants follow his example and the zamindar finds that the amount of his arrears is piling up.

Another point is with regard to the payment made to the *sikans* who are employed for looking after the crops under restraint. At present the amounts paid to the *sikans* are not in proportion to the amount of decree money. I think that one uniform fee has got to be paid irrespective of the amount of arrears. The result of the present

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system is that in some cases where the amount of arrears is very small a considerably large amount is paid to the *siana* as his wages, and the tenant is put to unnecessary loss and the zamindar finds that most of the money collected out of the crop restrained is paid to the *siana* and his arrears is left outstanding. Therefore, Sir, the wages paid to the *sianas* should be in some proportion to the amount of arrears which is to be realized.

The second group under which I would mention a few points relating to a few concessions which are badly needed by the cultivators. In the first place, we find that the tenants cannot always get small bits of wood which they need for their daily agricultural needs. The *sharts wajib-ul-arzes* vary a great deal from village to village; in some villages the tenants have got to apply to the zamindar for permission to cut wood from their own fields in order to repair the necessary agricultural implements. I think there should be a uniform rule that a cultivator who stands in need of a little wood should be able to cut it from his own field if not from the village *banjar*, although I do not think it would do very much harm to the zamindar if he is allowed to cut wood from the village *banjar* for his real agricultural needs. This should only be limited to agricultural needs, because we know that every tenant has not got timber in his field whereas every cultivator needs wood for repairing his agricultural implement. After all the zamindar cannot refuse permission for wood to be cut for this necessary purpose. Therefore it is only fair that they should be allowed this concession by law.

The other thing is with regard to the cultivation of fruit. Under the existing law there are certain restrictions for the planting of fruit trees on ordinary agricultural land, whereas we know that the cultivators realize that the present crop does not pay these days, and that fruit is one of those things which can be made to pay if a holding is situated in a proper place. I, therefore, think that if there be any obstacle in the way of planting of such trees it should be removed and better facilities allowed for their cultivation both in the interests of the tenants as well as that of zamindars.

A very important point which I wish to bring before the House is with regard to the *patwari*. A reference was made by the Hon'ble the Finance Member when he moved the budget and when he explained that a sum of Rs.60 lakhs a year was paid on the maintenance of village records and on the pay of *patwaris*. Apart from its being a very large sum, I think this amount is not entirely paid for the benefit of the agricultural community in these provinces. Although I cannot deny that the *patwari* at present does not perform a very important task I consider that he is responsible for a good deal of mischief in the rural areas. Not only is he responsible for giving trouble to those who are in need of copies of records, but he does actually take part in petty politics, and if not in all cases in several cases encourages litigation and other kinds of disputes in the villages. Although I cannot ask the Government to take a definite step all at once I would certainly ask them to consider in the interests of harmony and peace of the country the desirability of doing away with the *patwari*. In the neighbouring province of Bihar we find that this

wonderful official does not exist. The lambardar or zamindar has to maintain the records which are supervised by revenue officials of Government. They are regarded as public records and they are considered as authentic as the records of the patwari here in our province.

Rai Bahadur Thakur Hanuman Singh : They are not supervised by anybody.

Rao Krishna Pal Singh : But aren't they in charge of the records?

Sir, I own a little property myself in the Arrah District, and I can say that the record of the landholder there is the only record which is maintained in the village. And I ask the Thakur Sahib if he has ever seen a patwari in that province. I think, Sir—I am not sure though—that the Province of Bengal is not very different from that of Bihar. In these two provinces, where they have as big zamindars as we have here—the zamindars like the Maharajas of Darbhanga and Burdwan are much bigger than even the biggest zamindar in our province—if they can do without a patwari, I do not see why we should not be able to do without these officials. Then, Sir, yesterday Mr. Drake-Brockman told us that the records of patwaris in these provinces are being brought up to date and that would be removing most of the defects which the records hitherto possessed. Therefore, Sir, after the records have been brought up to date and have been completed, it should be all the more easy for a lambardar, or anybody else if he is not a lambardar, to maintain such records. I do admit, Sir, that we will lose a certain amount of efficiency, but on the other hand we shall gain more in economy and in the peace and prosperity of the country side.

Pandit Shri Sadayatan Pande : Sir, I rise to support the Rao Sahib, particularly in the matter of doing away with the patwari. When a neighbouring province like Bihar can do without a patwari, why on earth cannot we do without him here? It is a well known fact—and it is within the experience of the tenants and zamindars—that it is this revenue functionary who is responsible for a number of litigations and troubles in the village, it is due to the duplicate records maintained by both the landholder and the patwari that a larger number of cases and suits crop up. Had it not been for the patwari's village records a very large number of cases would have been avoided. The entries in the patwari's papers differ very greatly from those in the zamindar's papers. Take for example the rent of A's holding. In the landholder's papers it is Rs.15, but in the patwari's record the amount of rent for the same holding and of the same man is Rs.12. Although the tenant has been paying Rs.15 for so many years, he when it pleases him or when he is insinuated by the patwari or anybody else, can take a good defence in the court and thwart the zamindar? He takes advantage of the patwari's papers in the court with the result that the decree to the zamindar would not be given at the rate of Rs.15 but at the rate of Rs.12. This is how these big gaps and differences are created between the zamindars and the tenants, and this mentality between the governor and the governed—I am speaking within the sphere of the zamindar and his tenant—creates a good deal of animosity and that does a lot of harm to the zamindar and to the tenants also. The Government ought to adopt ways which would maintain good will and harmony between the tenants and the zamindars and so we all very seriously think that if the patwari is done away with, a

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very great stumbling block will be removed. Therefore, Sir, I wholeheartedly support the Rao Sahib on this point.

Rai Bahadur Thakur Hanuman Singh : I had no intention to speak but for a question directly put to me by my friend the Rao Sahib. In Behar patwaris do exist ; they are paid by the landholders. They always maintain records of the landlords and work for them as clerks. Their records are never supervised by any revenue officer.

Now, Sir, I come to the question of the patwaris in the United Provinces. Conditions in Bihar differ widely from the conditions in this Province. If the office of patwari be done away with, then there will be numerous difficulties and it will be these very zamindars who are desirous to do away with the patwari who will apply to the Government that the post of patwari be restored. No doubt patwaris are not an unmixed blessing. They are troublesome specially to the petty zamindars and the tenants as well. When slips for the remission of rents were distributed to the tenantry, patwaris demanded and took a certain amount from each tenant. Until they were paid, the slips meant for the tenants were not given to them. Then the jobberies of the patwaris may be checked if kanungos who exist in large numbers supervise their work and conduct. It is an open secret that a kanungo takes a rupee per month from each patwari. Unless he pays it, he can never be safe in his office. On this account kanungos never look into the faults of the patwaris and leave everything to be done by them as they like. These kanungos are expected to inspect fields, but they do not, or even if they do, they do it very seldom. They go and stay in the *chaupal* of a certain zamindar who feeds them and the clever patwaris are sent out to check the work of those patwaris who are considered to be neglectful and on their report the kanungo signs the khasras and thinks that he has done his work. If you look into the khewats, you will find that a large number of those who have died are recorded therein. It is the business of the kanungo and patwari to keep the khewats correct, but they maintain them in a very perfunctory manner. Even the names of tenants who have died are not expunged from the khasra. If a kanungo comes to know of this, he corrects it, or else the mistake is allowed to continue. When the Government spends large sums of money on the pay of kanungos and patwaris, then I submit that it should direct its district officers to be strict on these officials and endeavour to extract work from them. But these people are left to do as they like. The kanungos are also employed on miscellaneous duties. Whenever any inquiry has to be made, the tahsildar orders them to do it. This business should be entrusted to the naib-tahsildar or it should be done by the tahsildar himself. The kanungos are in this way made to do work which is not their prescribed duty. On account of such miscellaneous and multifarious duties the legitimate work of the kanungos and patwaris is neglected. I trust that the Government will now see that the patwaris and kanungos do their work properly and efficiently.

Khan Bahadur Maulvi Fasih-ud din : I have got a cut motion in my name, no. 19A, but I will speak on this particular motion as it covers at least one of the points which I wanted to raise in connexion

with that motion, I mean the point about the issue of coercive processes. I find that in these provinces as many as $3\frac{1}{2}$ lakhs of coercive processes are issued every year, and if we compare this figure with the number of coercive processes that are issued in other provinces, we cannot help coming to the conclusion that in these provinces the officers in charge of the collection of rent and revenue are overdoing the picture in this particular matter and misusing their powers. Sir, in no other province so many warrants are issued as in these provinces, and I have brought out this fact half a dozen times before this honourable House in the past. The number of warrants that are being issued in these provinces varies from 15,000 to 16,000 every year, which is unduly large. In any other province the number does not exceed 7,000 or 8,000. The scheme of the issue of warrants in order to realize land revenue is, as I have often said, very vicious in its nature. It is not only unjustified, but it is untenable from a moral point of view, and I think that this system of arresting people for arrears of land revenue is a relic of the barbarous system of realizing the Government dues in the days of the Roman Empire. In 1929 the Hon'ble Mr. Lambert definitely promised that he would do away with this particular provision of the law, and he convened an informal meeting of some of the members of the Council in order to discuss this matter. We did discuss it and we gathered from the talk we had with the Hon'ble the Finance Member, that he was prepared to delete this provision from the Act. But the slump came in and the Government then came forward with the excuse that as the economic condition of the province had undergone a very great change the Government was not prepared for the time being to delete this unjustifiable and inequitable provision from the law. I think the sooner the Government altogether does away with this particular provision of the law the better it will be both for the good name of the Government and for the welfare of the people at large.

The section which relates to the methods according to which the land revenue should be realized is wide enough. It allows the Collector to realize land revenue by taking possession of the property itself and bringing it under direct management. It also entitles him to sell up the movable property, and even the landed property, of the debtor. It enables the Collector to cancel the settlement of that particular village if the revenue cannot be realized and to make over that village to any person he likes. When such drastic provisions exist in the law, I see no reason why this particular provision about the issue of warrants of arrest should exist in the law which causes so much indignity to the zamindars. I think it is high time that the Government should revise its policy and now that the Government is going to stabilize the rent and revenue on the basis of the current prices the Government should have no scruples to carry out its promise of deleting this particular provision of the law.

The other point that I wanted to bring out is that the Government has very correctly omitted the permanently-settled districts from the operation of the new settlement amending Act that has been passed, but the Hon'ble the Finance Member has said that he will reconsider the question of reducing the rents in those districts in some other way. I think the Government should not at all touch the rents of these permanently-settled districts. The Government cannot alter the rents or

Khan Bahadur Maulvi Fasih Uddin]

decrease or increase the land revenue of those districts; so the Government should leave these districts untouched and should not worry itself about the rents.

Thakur Muneshwar Bakhsh Singh : Sir, two important matters have been brought to the notice of the Government by Rao Krishna Pal Singh—one is the issue of coercive processes against the zamindars and the other is the abolition of patwaris' posts.

As regards the coercive processes I may say that this matter has been discussed many times on the floor of this House, and I am glad to find that there is a decrease in the number of the issue of these coercive measures. I would request the Government that these coercive measures should be more moderately restricted.

As to the doing away with patwaris, I cannot agree on many grounds. The first ground is that unless there is the patwari we cannot maintain correct records: in many cases there are villages in which there is a pattidari system and there are a number of co-sharers. We cannot hold anybody responsible in such villages; and they will not take upon themselves the responsibility of keeping correct records. The second ground is that in Bihar we have permanent settlement. So the rights of the tenants and landlords are settled to a certain extent: in our province we have to settle districts after 40 years, and for that purpose we have to maintain detailed information about certain matters. It is, therefore, necessary that the patwari should keep it; and, unless we keep him, correct village records cannot be maintained. There is one other thing, namely that if the records are kept by the landlord, then the rights of tenants will not be safeguarded to a great extent. On these grounds I consider that we should not abolish the post of patwari.

Rai Govind Chandra : Sir, my friend, Rao Krishnapal Singh, has raised three points in his speech. Supporting his first point, I must join him in raising my feeble voice against this mode of realization of land revenue by issuing coercive processes. These processes, Sir, are issued by Government mainly against small zamindars who are in most cases worse off than even poor tenants. I have not that descriptive power which is possessed by my friend, Thakur Shiva Dhyani Singh; otherwise I would have given another similar tale of woe. All the same, Sir, I feel as much. Government, in reply to a question of mine the other day, said that these processes were issued in very few cases, and after careful scrutiny. But from the figures just quoted by Rao Sahib I find that there are quite a large number of cases in which these coercive processes have been issued. I feel, Sir, that this system of process has become out of date, and should not be issued by Government in realizing revenue. We, the zamindars, possess no such methods of realizing our rents from tenants. Why should the Government then, Sir, which is a stronger body than the zamindars, be allowed to use this *modus operandi* for realization of its dues. I do not say that zamindars should be given the right to arrest tenants for the non-payment of rent, because the weak must be protected from the strong; but I would say that, similarly, the small zamindars, against whom generally coercive processes are issued, should be protected from the State, which is stronger than zamindars. Therefore, in my opinion,

the out of date method of issuing these processes against zamindars should be abolished without a second thought.

I entirely agree with the Rao Sahib on the other point, as well namely that patwaris are not needed and that they have become a nuisance. I must say that in many cases they do not help to keep correct records, rather they help to keep incorrect records. Once they write their *sir* records, then they modify them, and again correct them. I do not know what shape that record assumes, Sir, when it is handed over to the district authorities. In some cases I have seen, Sir, that these records were changed even after a year, when the patwaris had received some emoluments.

In Bihar there are no patwaris and no necessity for them was ever felt there. The zamindar in Bihar keeps the records and he is supposed to keep them accurately. The courts acknowledge the correctness of the records of zamindars and their authenticities are never questioned. I have quite a good large property there and I can say from my own experience that whenever we file rent suits against tenants, courts generally acknowledge the correctness of our statement. I do not see any reason why this Province cannot do away with the patwaris when the province of Bihar, which is mainly an agricultural province, can do away with them.

With these few remarks, Sir, I support the motion of Rao Krishna Pal Singh wholeheartedly.

Rai Bahadur Lala Anand Sarup : Sir, I am sorry I cannot support my friend Rao Krishna Pal Singh that the post of patwari can be abolished, but I agree with him that in some villages they are a great nuisance. I agree that they make entries in *jamabandis* at their will and they do not care to show them to the zamindars. The Hon'ble the Finance Member yesterday pointed out that the realization of rents according to the information given by the patwaris, was 55 per cent. in these provinces, while the collection in the Court of Wards was 91 per cent. I do not know why the Government cannot find out the true realizations of the tenants. They can be found out from the zamindars. Generally receipts are given by the zamindars to their tenants and if the patwaris can take the trouble of getting those receipts from the tenants and enter into their *siahas* the amounts mentioned in the receipts, the true realization would be found out.

Sir, section 82 of the Agra Tenancy Act provides that a tenant could not sub-let his holding to another tenant for a period not exceeding a certain time. But it has come to the notice of certain zamindars that they sub-let their holdings for many years letting them from year to year and the patwaris do not care to enter this fact into their records, and instead of entering the name of sub-tenants the name of the original tenant is retained with the result that zamindars cannot take any proceedings under this section and it proves of no value to zamindars. Had the records been properly kept and properly checked by the tahsil staff—kanungoes and naib-tahsildars—such difficulties should not have occurred.

Sir, I brought to the notice of the Government that the number of *kurkamins* appointed for the sale of restrained property is inadequate,

[Rai Bahadur Lala Anand Sarup]

and they cannot auction the property in time because they have to do other work given them by the tahsildars and others, and in several cases the restrained property is spoilt or stolen away, and the zamindar cannot get the price of the produce which they attach. Of course the zamindars have to pay auction fee whether the property is sold for Rs.50 or Rs.10 or even for Rs.5 just the same, that is, Rs.3. I think the Government should provide a sliding scale for the auction fee.

With these few words, Sir, I resume my seat.

Rao Sahib Thakur Shiva Dhyani Singh :

(راؤ صاحب ٹھاکر شیوا دھیان سنگھ)

جناب پریسیڈنٹ صاحب —

راؤ صاحب کے Cut-motion پر مجھے کو کچھ support کرنا ہی اور کچھ oppose بھی کرنا ہی۔ انہوں نے فرمایا ہے کہ کاشتکاروں کو یہ حق حاصل ہونا چاہیئے کہ بلا اجازت زمیندار کے لکڑی اپنے کھیتی کے کام کے واسطے کاٹ لیا کریں۔ اس کے واسطے میں اُن سے دریافت کروں گا کہ کون ایسے زمیندار ہیں جو اپنے کاشتکاروں کو لکڑی کاٹ کے کام کے لیئے بلا قیمت نہیں دیتے ہیں۔ البتہ دیر ضرور ہو جاتی ہے تو کون سے ایسے کام زمینداروں کے عین جن میں دیر نہیں ہوتی۔ یہ دیر کا ہی تذکرہ ہے کہ آج زمیندار صاحبان کی اتنی majority کونسل میں ہوتے ہوئے بھی کوئی سنوائی نہیں ہوتی۔ میں اس کے واسطے عرض کروں گا کہ گورنمنٹ نے درنوں کی safety کے واسطے اُن کو ایک Level پر رکھنے کے واسطے ایک چیز جس کا نام ”واجب العرص“ ہی طیار کر رکھی ہے جس دن آپ بندوبست گاؤں میں کرتے ہیں اُس میں زمینداران اور کاشتکاران کو اکٹھا کیا جاتا ہے۔ اسی طرح Curry صاحب کا بندوبست ہوا تھا۔ سب صاحبان موجود تھے اُن کے مشورہ میں واجب العرص لکھی گئی تھی۔ اب بھی جو بندوبست ہوتے ہیں اُن میں دونوں کو شامل کر لیا جاتا ہے۔ زمیندار صاحبان اپنے کاشتکاران کے ساتھ ہر طرح کی اعانت کرتے ہیں۔ جس وقت اُن کے یہاں شادی کا کام ہوتا ہے یا غمی ہو جاتی ہے تو اُن کو لکڑی وغیرہ زمیندار بلا معاوضہ کے دیتا ہے۔ اکثر زمیندار صاحبان ایسے بھی ہیں جو کاشتکار جن کے یہاں گاڑی نہیں ہوتی ہے اپنی گاڑی مع بیلوں کے اُن کے disposal پر کام کے لیئے دیتے ہیں اور کہتے ہیں کہ چار دن تم ہم سے بیگار لیلو۔ زمیندار محض ایک دن کے واسطے بیگار چاہتا ہے تو یہی وہ اپنے دل میں افسوس کرتا ہے۔ لیکن اگر میں کسی زمیندار کا کاشتکار ہوتا تو میں اِودا سچا کاشتکار ہوتا۔ چونکہ زمیندار ایک ایسی چیز ہے جس کو قابو کرنا کاشتکار کے بائیں ہاتھ کا کام ہے۔ زیادہ سے زیادہ زمیندار اُس سے ہل۔ بیل مانگتا ہے۔ اگر وہ اُس سے یہ کہہ دے کہ سرکار آج میرے بیل کے پیچ میں تالیب ہے چار دن میں سب ٹیک ہو جائیگا تو بھیج دوں گا تو اس سے زمیندار اتنا Puffed up ہو جائیگا اور جب تک اُس کا بیل اچھا نہ ہو اُس کو مانگنے کی ضرورت نہیں رہیگی۔ چمکڑا بڑھانے کی چیز جو گاؤں میں ہے وہ زیادہ تر پٹواری ہوتا ہے۔ راتوں میں ہی کہ اُس بٹواری

abolish ہو جائیگا تو نہایت Relief ہو جائیگی لیکن ہماری گورنمنٹ کو اس سے کتنا زیادہ نقصان ہو جائیگا - وہ نقصان گورنمنٹ کو یہہ ہوگا کہ آج تو litigation کرنے سے جو Stamp fees کی آمدنی ہوتی ہے وہ چوتھائی رہ جائیگی اور پھر یہہ مسئلہ کونسل کے لیڈے طیار ہو جائیگا کہ اور tax لگانا چاہیئے - مقدمہ بازی کم ہونے کی وجہ سے آئندہ کام State کا نہیں چلیگا - میں اس کے بعد ایک تہوڑی سی عرض کرونگا - قانونگو جو یہاں گورنمنٹ کی طرف سے مقرر ہیں اگر وہ کاغذات کی جانچ جیسی Bihar Province میں پٹواریوں کے نہ ہونے کی وجہ سے کرتے ہیں اگر یہاں بھی اس قسم کا قاعدہ رائج ہو تو میں اس کی بابت اپنی کوئی رائے نہیں رکھتا ہوں کہ گورنمنٹ بلا پٹواریوں کے کام چلا سکیگی یا نہیں - یہہ تو گورنمنٹ ہی اچھی طرح سے سوچ سکتی ہے - یہہ کاغذات جو زمینداران کے پاس رکھینگے اُن کے اندراجات کو گورنمنٹ اور کاشتکاران کے دل مان سکینگے یا نہیں کیونکہ آجکل tenantry زمینداروں پر یقین نہیں کر رہی ہے اُس کی وجہ یہہ ہے کہ قانون اُن کے اور ہمارے درمیان میں ہے وہ ایسا ہے کہ جب کوئی کاشتکار کسی وکیل کے پاس جاتا ہے تو وہ کہتا ہے کہ تم ٹھیک ہو اور جب اُس کا زمیندار دوسرے وکیل کے پاس جاتا ہے تو وہ کہہ دیتا ہے کہ تم ٹھیک ہو - اگر ٹھیک طور پر ہمارے وہ صاحبان مدد دیں تو یہہ خواہ مخواہ کا جھگڑا ضرور رفع ہو جاوے *

Mr. D. L. Drake-Frockman: I rise with the permission of the Hon'ble the Finance Member to speak on this motion, but only on that portion of it which touches patwaris. As officer responsible for their control, I feel that I would be failing in my duty if I did not stand up to defend a body of public servants whose value not only to Government but to the zamindars and the tenants I have learnt to appreciate more the longer my service has been. I was surprised at the vehemence of the attack of my honourable friend on these persons as a class. But may I remind him that there are nearly 28,000 patwaris in this province, and perhaps his experience of them is rather more limited than my own. May I also remind him that the lambardars and the zamindars have the right to nominate their own patwaris? If they get a bad one that may possibly be their own fault. May I also remind him that the law provides for the removal of patwaris who render relations of landlords and tenants difficult in any way, and there is always a remedy at hand in the shape of a complaint to the Collector? Well, Sir, I do not know how far the honourable member is speaking on behalf of the tenants or how far the tenants would appreciate his point that all the records of rights should be kept by the landholder. However, I venture to say that the proposition if put forward in concrete form would not be accepted by a substantial number of tenants.

Sir, I have studied all my life the question of revenue administration and with it the history of the office of patwari. I must confess my complete ignorance of the fact that records are kept in the province of Bihar by zamindars or anyone else. Three years ago I

[Mr. D. L. Drake-Brockman]

was sent to that province by Sir Malcolm Hailey to find out how they were dealing with the question of remissions of rent and revenue. They were totally unable to give me any figures whatsoever except the statistic prepared at the periodical revisions of records. So far as I know no records are kept from year to year in the province of Bengal or Bihar where the permanent settlement is in force. On that point however I speak subject to correction by my friend. I take it that the accounts of zamindars in Bihar are produced in court, if necessary, when they sue tenants for arrears of rent, and that such documents are given the evidential value which they are worth. If the court is convinced that a zamindar keeps accounts correctly, naturally it prefers to believe the evidence of those documents against the mere denial of a tenant. My friend from Mirzapur gave an instance of the manner in which the zamindars are put at loggerheads with their tenants by patwaris. He instanced a case in which the zamindar says that the tenant pays a rent of Rs.15 and the patwari has put down Rs.12. The zamindar sues the tenant at the rate of Rs.15 and the tenant says: "Not at all my rent is only Rs.12." This is a very common case that comes up frequently in court. May I remind honourable member that the law in these provinces provides for the preparation of record of rights. This has been compiled in every district in the province at some time or another. In some cases it has been revised and brought up to date. The law further provides for the maintenance of this record of rights through the medium of annual registers. If the record of rights says that the rent is Rs.12 the patwari is absolutely prohibited from changing it until, as the law lays down, he gets an order from a court or a registered agreement is produced verifying the rent. If the patwari changed the figure from Rs.12 to Rs.15 at the instance of the landlord he would undoubtedly get sacked. After all every possible effort has been made in the rules to prohibit changes in the relationship between tenants and the zamindar, except by an order of a competent authority and this is for the security of both parties. My honourable friend from Muzaffarnagar complained that patwaris did not report that tenant had sub-let their land. Personally I know they often suppress such facts. There are refractory tenants who do sub-let or mortgage their land and enter into a conspiracy to get the fact suppressed. Sir, these things occur and are bound to occur. But I would ask the House to remember again that there are 28,000 patwaris in this province. I suppose each of them is responsible for a minimum of 4,000 khasra entries and a large number of khatauni entries. These documents are supposed to be correct in every detail. There are 24 columns in the khasra and I would like any member of this House to make a pigeful of khasra entries on the spot and guarantee that all those entries would be correct. I would not like to do it myself. However this indicates that mistakes are likely to occur. Sir, I have been in close association with the land records for 35 years, ten years as a Settlement Officer when one comes into closer association with them perhaps than at any other time and I can say that the number of times the patwari is found to be incorrect is not more perhaps than 5 per cent. I agree that there are some bad patwaris but I ask you again to consider that there are 28,000 of them making

millions of entries every year. I do not deny that perhaps ten per cent. of them are bad and that some may make inaccurate entries deliberately. But experience shows that the last are few. I am afraid the honourable member has been unfortunate in this respect. May I again suggest to members of the House who are lambardars to be careful whom they nominate when the post of patwari falls vacant in their villages and to nominate only men whom they consider trustworthy.

Rai Sahib Rai Rajeshwari Prasad : Sir, if I join the debate at all it is because the nature of the two points that is one about the patwari and the other the question of the suggested amendment in the law made by my friend Maulvi Fasih-ud-din, are important. With regard to the first point an analogy has been drawn between the conditions of Bihar and these provinces. Since I know something of the conditions prevailing in Bihar I consider it my duty to bring the facts to the notice of the House and especially of my friend Rao Krishnapal Singh who has brought forward this motion. In Bihar we all know that there is permanent settlement. Apart from that the conditions of the land tenure are so completely different from the conditions obtaining in this province that we cannot argue on the basis of an analogy brought from the province of Bihar that since they can do there without having the institution of patwaris, therefore in this province also we should do away with the patwari. I would like to point out only one or two broad differences. The first and the most important one of them has been mentioned by Mr. Drake-Brockman. They do not have a year to year record in the province of Bihar. They have only a system of revision of a permanent record in that province every five years, and as far as I am informed, they engage some sort of subordinate officials for the purpose of the revision of records. Apart from that, Sir, the changes in the possession of tenancy holdings are carried out in the province of Bihar mostly by registered instruments. Tenancy in the province of Bihar is a transferable right and therefore it is possible in that province, when a question with regard to evidence regarding possession arises, to get hold of a registered instrument. All the suits relating to rents are instituted in a civil court and there is no separate system of deciding rent suits as we have in this province. Every single rent suit has to be decided as a civil suit in the province of Bihar; and we get the additional advantage that all the transfers of possession and title are evidenced in that province by a registered instrument. Therefore, as far as the duty which the patwari performs in this province is concerned, the province of Bihar is in a much better position and the land tenure is so different in that province that they need not have a patwari at all. Here the patwari performs a very important function. He does the work from day to day and from year to year. If he were not to keep year to year records then it could be argued that the institution of patwaris is a useless one. It has been urged that the patwari interferes with the peace and harmony of the village. The number of patwaris at present is 28,000 and I think, Sir, that when this large number of patwaris is disbanded, the peace and harmony of the village will be much worse than it is now. It has also been argued that the zamindars can keep land records. I do not know, Sir, how far this is possible. The number of petty landlords in

[Rai Saheb Rai Rajeshwari Prasad]

this province is very large and I do not think it will be possible even for five per cent of the landlords to keep a regular record of the kind which has been talked about on the floor of this House this morning. I think the question needs very serious consideration and we should not in the hurry of the moment do away with the institution of patwaris altogether.

Coming now to the other question which has been raised by my honourable friend, Maulvi Fasih-ud-din Sahib, I think that the entire question of the method by which the Government realizes land revenue from the landlords and the ways open to the Government of enforcing payment from the landlords should be very carefully scrutinized. As we all know, there are different ways in the Land Revenue Act to which the Government can have recourse if the revenue due from landlords falls into arrears. One of the ways for the realization of land revenue is by arrest of the landlord. Warrants and citations come before this method of arrest, but in any case Government has vast powers for the realization of arrears of land revenue. Personally, Sir, I attach more importance to the right of realizing land revenue by means of arrest. It has always seemed to me that that method should be done away with and that the Land Revenue Act should be so amended as to take away this right of realization of land revenue by means of arrest. Of course it is well known that it is a very good threat, if I were to put it like this, as against the landlord to compel him to pay his revenue. I know, Sir, that there are landlords and landlords of all kinds and there may be cases in which in spite of the fact that the landlord is in a position to pay, he may be withholding payment. In such cases, Sir, the threat of arrest is a very good way of enforcing payment. I should like to submit that such cases are very rare, and unless it comes to absolute inability to pay no landlord would like to withhold payment. The right of arrest, Sir, should be taken away, because it is land out of which a landlord is expected to pay, and I should think that Government should exercise the right of realization primarily against the security offered by the land and if the landlord is unable to pay and Government do not wish to give him further time, I think the only course open to them is to realize the amount from land and settle the land to someone else. It is absolutely useless to have in the law the right of imposing some sort of threat for fear of which the landlord may pay the revenue, although under the circumstances it may be impossible for him to do so. If the landlord has come to that let him cease to be a landlord. This right of realizing land revenue by means of arrest will create a certain amount of fear in the minds of the landlords and they will be willing to pay land revenue readily—but this, I should think, is not the proper form of law. The history of the question has been carefully traced by Khan Bahadur Maulvi Fasih-ud-din Sahib. I know there were occasions when Government themselves were thinking of amending the law as far as this question was concerned. I do not know what their attitude at present is. I submit that this question deserves the serious consideration both of this House and the Government, and I hope Government will give us more of their mind on this point.

: Raja Saiyid Muhammad Mehdi: If I rise to take part in this debate at this late hour it is to give the experience of the zamindars as

regards the patwaris after such high praises which have been showered on them by the Senior Member of the Board of Revenue. I have got the greatest admiration for his intimate knowledge of revenue affairs, but I think the opinion he has expressed was formed simply after seeing the patwaris' papers and that he has not suffered with the zamindars who are subjected to the objectionable activities of the patwari. Not being a zamindar or a tenant himself I do not think he has come into touch in the same way as we have done, and I assure him that although I do not share the opinion of my friend, Rao Krishna Pal Singh, about the abolition of the institution of patwari, I certainly share his dislike of the patwari, and I say that those human beings who come in touch with him have a different story to tell. I know this class of people; I know their families; I know what they can do; and I know what they have done. And if instead of retiring in England the Senior Member were to retire somewhere in this country and purchase some property I assure him that he will share my view of the patwari.

With these words I resume my seat.

Thakur Balwant Singh Gahlot: If I rise to speak on this question which has engaged the attention of the House and elicited certain remarks from the other side, it is only to say that with all his faults the patwari is a most useful institution that has existed in the villages at the present time. There is no doubt of that. We have to look to this question from this point of view that if we are to remove the patwari then who is going to be his substitute? The patwari keeps the records of the different holdings as to who is in possession of a certain holding and when that possession is going to be changed. He has to keep records of that change. There is no doubt that most of the zamindars who are big landlords can keep the records of their different tenants, but the smaller zamindars who constitute the bulk, cannot be expected to keep a full record of the different holdings of the different classes of tenants. My friend the mover of this cut suggests that the lambardar can be expected to keep a record of the different classes of tenants and their different holdings. I would request him through you, Sir, not to make the position of the lambardar from bad to worse. The lambardar is suffering today on account of the realizations he has to make from others and pay them on their behalf. He has to meet insurmountable difficulties in getting back all that he has deposited in the Government treasury. Moreover if you want to abolish this patwari class then please do abolish first of all this entire revenue system of these provinces, because in most cases we find that in spite of all his faults, in spite of all that we know of his shortcomings, as the Senior Member of the Board has pointed out, the revenue cases are decided on the evidence of the records maintained by the patwari. The faults that are existing today are mostly due to the fact that this class is very low-paid. The responsibilities that are thrust upon the patwari are certainly much higher in comparison to the pay that he gets. The patwari is generally the *diwanji* of the village and he gets only about 12 or 13 rupees a month. He has to maintain his family and his position and naturally he has to resort to other practices in order to get something extra. If you want to really improve the method and his behaviour, then you must be prepared to give a higher pay. I think that is the solution of this problem.

Rai Bahadur Thakur Hanuman Singh : Then his demands will be still higher.

Thakur Balwant Singh Gahlot : Rai Bahadur Thakur Hanuman Singh suggests that the demands of the patwari will be higher if he is paid more than what he is paid now. It may be true to a certain extent, but I put this to him through you, Sir, as to what is the remedy that is being suggested by asking the Government to get this patwari system abolished altogether?

The Hon'ble the President : Pay him nothing and he will demand nothing.

Thakur Balwant Singh Gahlot : I think it would be better if some of the retired Government servants take up this onerous task of doing patwari's duties honorarily. If zamindars have courage enough with them, the patwari is not strong enough to create any havoc or mischief with them. So, in my humble opinion the remedy lies in having a better class of people as patwaris; and to attract a better class of people it is proper that we should offer them better emoluments. The patwari is the custodian of the village records upon which most of the rent cases are decided. So we should have better paid patwaris.

(At this stage the Council adjourned for lunch at 1.15 p.m.)

(After recess the House re-assembled at 2 p.m. with the Deputy President in the Chair).

Rao Krishnapal Singh : The other points have not been replied to. I would therefore request the Hon'ble the Finance Member to reply to the other points. Only one point has so far been taken up by Government.

The Hon'ble the Finance Member : The honourable mover of this cut referred to six subjects, the first of which had to do with coercive processes. I have here the last printed report of the Board of Revenue giving the figures with regard to all processes, coercive and other. The honourable member for Budaun, I think, mentioned a figure of 3½ lakhs of what he called "coercive" processes. I cannot say where he got that figure from; but the total number of processes of all kinds used in the year ending 30th September, 1934, amounted to a little more than two lakhs of which the vast majority were not coercive processes at all. It consisted largely of writs of demands and citations to appear both of which showed an increase, whilst the coercive processes properly so called all showed a decline. It is the warrants of arrest in regard to which we have heard a good deal today. Their number in the year which I am alluding to fell from 23,200 to 21,300. Attachments of immovable property also fell in number from 65,100 to 63,600 and attachments of immovable property from 1,470 to 912. And it is interesting to note that the number of cases in which land revenue defaulters were actually detained, as opposed to warrants of arrest being issued against them, fell from 3,147 to 3,062. Now, Sir, the number of coercive processes has continuously declined during the last four years beginning with 1931 so that I think it is obvious that the orders of Government which were issued some time ago to district officers to carefully supervise the issue of these processes, have had a good effect: I do not think it frequently happens as has rather been hinted today that coercive processes are used unnecessarily. It was

suggested by my honourable friend the mover that the figures given by Government recently in answer to a question show that the number of coercive processes was large during the early period of the collection of each revenue kist. Now, Sir, that is rather a misleading conclusion to draw from the figures which were given, because a considerable number of these coercive processes are used for collecting the dues of co-operative societies which under the law can be realized as if they were arrears of land revenue. It was ascertained not long ago that out of 280 coercive processes issued in the Agra Division over 250 were used in connexion with the collection of co-operative dues, which is a different thing from the collection of land revenue. So that before those figures are quoted to prove any particular point it is desirable that they should be carefully checked.

The suggestion made against the use of warrants of arrest in connexion with the collection of land revenue is a very big question to which I can hardly do justice if it be treated as a part of the budget debate. If any honourable member wishes to pursue that subject further, I think it would be far more appropriate if he will do so in the form of an *ad hoc* resolution. Government will then be prepared, if the House records its opinion in favour of such a resolution, to give the matter full and adequate examination, but for the purpose of my honourable friend's cut I hope that the explanation which I have given will satisfy him.

Then, Sir, he spoke about the delays which occur in courts in dealing with suits and applications brought against recalcitrant tenants for failure to pay their rents and in the matter of suits for ejectment. On that subject, Sir, we have heard a good deal this morning, and I understood that the honourable mover did not wish to refer at any great length to that subject.

The third point he referred to was the wages paid to *sianas*, the people who are appointed to look after an attached crop. That is a matter which Government will go into. I cannot say without further inquiry what the rates at present laid down for the remuneration of *sianas* are, when those rates were fixed, and whether there is any reason for reducing them now. But the matter will be gone into by the Board of Revenue and, if necessary, suitable orders in modification of the existing rates will be issued.

Another point that the honourable mover took was with regard to the right of tenants to cut timber on their own land or elsewhere for the purpose of making agricultural implements. Well, Sir, that is a matter which is regulated either by custom or by the goodwill of the zamindar. It was suggested by certain other speakers that very few zamindars would ever refuse a tenant, even if they had the right to do so, permission to cut wood for agricultural implements; and I am not quite sure what the suggestion of the honourable mover was, unless he suggested an alteration being made in the law. For that of course legislation would be required.

Then, Sir, he spoke about the cultivation of fruit trees and how desirable it was that tenants should be encouraged, or at least should have the right, to plant fruit trees in these days when so many of the ordinary crops yield a smaller return to the cultivator than they used

The Hon'ble the Finance Member]

to do before the slump. Well, Sir, the law with regard to the planting of fruit trees appears to be quite clear. It is not open to a tenant to plant a "grove," that is to say, to cover a large plot of land with big trees such as mangoes or jackfruit, which will, when they grow up completely cover the area below them and preclude the sowing of any other crop on that land, without the permission first obtained of his zamindar; this for the reason that under the law as it stands the tenant cannot be ejected from a plot which has become his "grove" land until all the trees which are standing on that plot have died and been cut down. But, Sir, with regard to the smaller fruit trees, to which I understand the Rao Sahib more particularly alluded, such as guavas, loquats, lichis, rose-bushes and so forth, there is no legal objection to a tenant planting such fruit bushes on his land if he wishes to do so; and therefore I do not quite understand what his point was.

Finally, Sir, there was the question of patwaris, whether they really serve a useful purpose in village society, whether they are more trouble than they were worth, and finally whether it is desirable to abolish them altogether. With regard to this many different opinions were expressed by the various honourable speakers, who addressed the House. I must say that I can hardly believe that those who advocated the abolition of patwaris were entirely serious. It seems to me that the abolition of patwaris would involve so radical a change in the economy of village life that it cannot be seriously contemplated in the light hearted way which was displayed this morning. In the first place they represent a cost to the State of over fifty-seven lakhs of rupees per annum. One honourable speaker suggested that it is highly desirable that their emoluments should be largely increased. Well, it is easy to calculate that even a ten per cent. increase in their pay would involve an expenditure of $5\frac{1}{2}$ lakhs of rupees. This shows how large a question we are dealing with when we talk about abolishing patwaris or altering their rates of pay. I do not think it is necessary for me to deliver a defence of them as a class. My honourable friend, the Senior Member of the Board of Revenue, who knows a great deal more about them than I do although I have had to deal with patwaris for a great many years, perhaps from a different point of view to that from which the honourable members of this House usually deal with them—from his very long and intimate experience of them, has told us what he thinks about them. He has also added that zamindars who do not find their patwaris come up to their expectations have the remedy in their own hands when a vacancy occurs by choosing a better man.

I do not think there are any other points raised in this discussion to which I need allude. If there are any, I should be glad to reply after the honourable mover has spoken.

Rao Krishna Pal Singh: Sir, I will, first of all, deal with one or two points with which the Hon'ble the Finance Member has dealt in his speech and then I will come to the much debated point with regard to patwaris.

I quite agree that the number of coercive processes has declined since the Council pressed the Government for a change in its policy

and the Government issued instructions to district officers. But what I meant to suggest was that the process needs a further alteration; specially there is no justification for issuing processes long before the period allowed for the payment of land revenue is nearing completion. Therefore, as I mentioned, it may be true that some of the processes issued early were in connexion with the realization of the dues of the co-operative societies, but it is also true, and I can give an instance, that a process was issued in the beginning of February. In fact, Sir, we are having trouble about it in the Etah District, and therefore I would again emphasize this particular side of the question that processes should not be issued too early. They should not be issued until they become absolutely necessary.

The other point is about the permission to allow tenants to take timber for agricultural purposes. What I said was that there was a considerable delay in obtaining permission from the zamindars—not that they refused this permission. Zamindars do certainly give permission to the tenants when the latter make a request, but delay is very injurious to agricultural operations. If a tenant who has got to plough his land damages his plough and needs a little bit of wood for the purpose of repairing it, and if he has to go to the zamindar who may be attending a session of the Legislative Council in Lucknow, it certainly means a very great delay and a very great harm from the point of view of the tenant if he has to go to Lucknow or to wait for the zamindar's return from there. Not only that, but even a few days' delay, if he has to seek the permission of the zamindar, may involve him in a considerable loss. Therefore, Sir, that is very just request which, I think, should be granted. Wajib-ul-urzes differ from one another so much that tenants everywhere cannot take advantage of their rights that are defined in those documents. I think, Sir, it would be better if the law is modified as regards this matter.

Now, I will come to the question of patwaris, which I never thought would evoke so much of discussion and so much difference of opinion. I did not mention it light-heartedly, as the Hon'ble the Finance Member has suggested: in fact, the idea was placed in my mind by my own brother when he was a member of this Council 10 or 11 years back. Since then I have come in daily contact with patwaris, and, although I cannot claim to have so much experience about them as some of the experienced officers of Government possess, I must say that I have always felt that patwaris do more harm than good to the agricultural society; and even after the discussion today I cannot feel that a very strong case has been made out for the retention of patwaris. Most of the honourable members, Sir, who have referred to this point, and who have tried to defend them, have said that the records will not be maintained in an accurate manner without patwaris. I myself said, Sir, that the abolition of patwaris would probably not allow us to maintain the records in so efficient a manner as they are maintained by patwaris. But still, Sir, we do not want only records: we want agriculturists. The office of the Hon'ble Minister is very important; but if we have all Ministers and nobody else in the province, then they would have very little work to do. Therefore what is more necessary is a prosperous class of agriculturists, and not the existence of accurate records. Again, I never meant to suggest that there was nobody else

Rao Krishna Pal Singh.]

who could do the work except a lamldar or a zamindar. The work can be entrusted to a competent tenant: if there is not one, it may be entrusted to somebody else. I would like to draw the attention of the House to the amazing cost which the province has to incur on the maintenance of this unwieldy institution. We have learnt that a sum of Rs.60 lakhs a year is spent from the provincial revenues, and there is no doubt that at least double that amount is taken by patwaris from other sources. I am sure that if a careful survey is made, the amount will be larger. Let us, for a moment, think that if these amounts were put together, and if that money were left to the poor tenants, to the poor agriculturists, what a difference it would make in their economic position. Therefore, I would again emphasize that merely the keeping of good records would not satisfy the people so much as would the prosperous and happy condition of agriculturists. Sir, I will never insist that the zamindar or lamldar should be entrusted with the work. If people think that they will not be able to maintain records properly, well, let the work be given to one of the most reliable tenants. I personally would be absolutely satisfied if one of my good tenants is given the work and if he is allowed to keep the records in place of me. Nor do I suggest that this institution should be abolished merely by one stroke of the pen. That is why I said it in the very beginning that I would not lay undue emphasis on it, I would not suggest that the institution should be abolished now, and I would not press my motion to a division on this point. I think, Sir, I made it perfectly clear. Lot of good has come out of the discussion that has taken place today on this point. Most of the speakers who defended the patwaris mentioned this point. But I am sorry to say that I disagree with one honourable member, Mr. Drake-Brockman, for whom I have great respect and for whose opinion I have as much regard as I would have for the opinion of one of my teachers. I acknowledge that by virtue of experience, education and culture he is fit to be a teacher of many of us here, not only on the subject of Land Revenue but on other subjects also. Let me make it clear that I recognize that one of the blessings of our contact with the English people has been that a band of officials of outstanding merit and devotion has rendered real service to this country. What we all wish is that there were more such men in the services which are manned by Englishmen. It was only the other day when Mahatma Gandhi paid a tribute to one of the officers of our provinces—I think he referred to Mr. Marsh—when he said that if there were Collectors of this type, there would be very little demand for Swaraj. I recognize that we have in Mr. Drake-Brockman an officer whom we would all like to keep in this country for ever, if possible. Therefore when I say that I disagree with him, I do not mean that I do it light-heartedly; I do it with full knowledge that I am disagreeing with an officer who is experienced, who is able and who is very sympathetic to the interests of our country. After listening to his various arguments I felt as if I was hearing a scientist trying to defend poisonous gas to the best of his ability. He was interested in it, knew how perfectly he could manufacture it, knew its volume, its specific gravity, yet in the end it was a poisonous gas. Therefore, Sir, he looked at it from a different angle of vision than ours. I acknowledge that with due regard to his opinion I disagree with it.

I do feel that we can, if not today, if not tomorrow, in course of time, do away with this institution of patwari, which is very costly and which can easily be substituted by another equally useful institution.

Shaikh Muhammad Habibullah: What about the employment of 28,000 people?

Rao Krishna Pal Singh: They will be given something more useful to do. It is unnecessary to keep people employed with something which is injurious. If you employ masons to dig up this building, they will receive employment, but surely they will not be performing a useful task. Will they? My honourable friend himself would come and make a protest there.

Shaikh Muhammad Habibullah: What work would you assign to them?

Rao Krishna Pal Singh: That we can discuss later.

Just one point which I would like to make perfectly clear. My intention is that my objection to this system was not at all personal. Mr. Drake-Brockman, I am sorry to notice, said that I should try and get a better patwari when a vacancy occurred. Sir, I manage patwaris and other officials, and I have been able to do it quite successfully: and if I have had trouble I have been able to arrive at some satisfactory solution. Therefore, Sir, it was not at all personal. I really and honestly believe, as I do now, that we can save this money and give it to the poor agriculturist and substitute almost equally good institution in place of the present system of patwari.

Rai Bahadur Babu Jagadeva Roy: What name will the honourable mover give to these men who would be entrusted with this duty?

Rao Krishna Pal Singh: I would not call them vakils.

The motion was, by leave, withdrawn.

Rao Sahib Thakur Shiva Dhyani Singh:

I beg to move that under head Land Revenue, a reduction of Re 1 be made.

راؤ صاحب ٹھاکر شیو دھیانی سنگھ —
جناب صدر دہشتی پرسی ڈینٹ صاحب —
میرے نام پر یہ cut-motion ہے

I beg to move that under head Land Revenue, a reduction of Re. 1 be made.

قبل اُس کے اوپر ایک لفظ یہی کہوں ایک بڑی اہمیت اسوقت یہ آجاتی ہے کہ زمیندار اپنے پیسے کی طرف دیکھے یا اپنے بچوں کی — اپنے پیسے کے واسطے یہ cut motion اور اپنے بچوں کے پیسے کے واسطے university education لہذا عرض یہ ہے کہ چند الفاظ کے ساتھ ہی اس speech کو ختم کرنا چاہتا ہوں — میری درخواست گورنمنٹ سے اس cut motion سے یہ ہے کہ چونکہ آج کل زمینداروں کو مالگداری ادا کرنے میں بہت بڑی دقتیں پیش آئی ہوئی ہیں اسوجہ سے جو میعاد مالگداری وصول کرنے کی فی اصلاح مقرر ہے اُس میں ایک ماہ کی اور میعاد بڑھا دی جاوے — یعنی بجائے اس کے

Rao Sahib Thakur Shiva Dhyan Singh]

کہ جن ضلعوں میں دسمبر کی میعاد ہی وہ میعاد جنوری تک کی کر دی جاوے اور جس میں جنوری تک کی ہی وہاں فروری تک کی اور جو کاشتکاران اس سے تعلق رکھتے ہیں اُن کی میعاد میں بھی ایک ماہ کی توسیع ہو جائے۔ کیونکہ آج کل ایکہہ کی فصل اُس Time تک نہیں آ پاتی ہی یعنی ایکہہ کی فصل خاص طور پر مالگنداری کے وقت پر نہیں آتی ہی۔ لہذا ضرورت یہہ ہی کہ اُن کی میعاد میں بھی ایک ماہ کی توسیع ہو، جاوے۔ *

The Hon'ble the Finance Member: Sir, the honourable mover said he would be brief, and I have no doubt that he would desire me to be the same. He has raised an important issue, viz., the date or dates for payment of land revenue. I can assure him that the whole subject is engaging the earnest attention of the Board of Revenue. It is a big subject and an important one. Its importance has been still further accentuated by the great extension of sugarcane cultivation in this province. All I can say at present is that it will be fully considered, and if any action seems necessary in the direction of extending the period for payment of land revenue, as suggested by my honourable friend, Government will not hesitate to pass orders accordingly.

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh: Sir, I beg to move that under the entire head a reduction of Re. 1 be made.

Sir, the object of my motion is to bring to the notice of Government that progressive enhancement of land revenue should not be enforced as it has now been decided to take up the revision of settlements. I may explain as to what are the progressive enhancements of revenue. When a district is settled and revenue is fixed for different mahals then the whole demand is not payable in some mahals. In certain cases when revenue demand exceeds 15 per cent. then the whole demand is not payable immediately, and for the first five years only 15 per cent. of the excess is taken, then after five years 30 per cent. of the excess is taken, and then after 10 years the whole demand is paid. Now since the time the prices of agricultural produce have gone down, whenever these progressive enhancements of revenue became due, the question came before the House and they were postponed from year to year. Now that the revision of settlement is going to take place I hope that they will not be enforced and that by the revision of settlement the revenue will come down in those districts which are going to be revised and there will be no progressive enhancement. With these few words, Sir, I move my motion.

The Hon'ble the Finance Member: The intention of the Government with regard to progressions of land revenue is as follows. No further progressions will be imposed in districts where resettlement or revision of settlement is to be taken up till resettlement or revision is complete. When the revisions of settlement have been completed the same rules will be applied to the new revenue demands as are applicable in the case of new settlements; that is to say, if the enhancement is more than 15 per cent. above the old demand, there will be progression in realizing the new demand. That I think is the explanation which my honourable friend wants.

The motion was, by leave, withdrawn.

The Deputy President : The question is that for Grant no. 8. 5—Land Revenue a sum of Rs.81,99,115 be granted.

The question was put and agreed to.

GRANT NO. 9.31—EDUCATION

The Hon'ble the Minister for Education : Sir, I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs.2,05,26,705 be granted under the head Education, and I move that this sum be voted.

Sir, there is also a non-voted item of Rs.1,72,300 making a total of Rs.2,06,99,005, an increase of Rs.13,670 over last year's figure, which was the biggest educational budget up to that time. Of this Rs.13,166 is new money which is divided amongst—

(i) provision for financial assistance towards the education of those Indian Christians whose origin is from the depressed classes,

(ii) provision for the upkeep of 8 new manual training classes opened in July last in Government High Schools,

(iii) expenditure in connexion with the new Girls' Normal School at Budaun, and

(iv) a grant to the Naik Sudhar Sabha towards the maintenance of a rescue home for Naik girls at Haldwani.

Sir, in the current year, as the House well knows, education in common with other Departments, was obliged to make an economy cut of Rs.2,10,000 owing to the need for retrenchment. In spite of this cut not only have the essential services been maintained but also developments and improvements have been undertaken mainly in the encouragement of education amongst the depressed classes and girls. These developments and improvements in spite of the cut have only been rendered possible by the exercise of the utmost care in expenditure and of rigid economy and scrutiny of demands.

I shall now review the various branches of education. University education, which comes first, will be dealt with by me now. University expenditure continued to engage the attention of Government. Proposals have been examined and prepared in consultation with the Universities of Allahabad and Lucknow for a renewal of the block grant system. The best method of fixing the grant is still under the consideration of Government. The question of the fixing of this grant for degree colleges will be taken up next. During the current year the Lucknow University has been helped to start a women's hostel at a cost to the provincial revenues of Rs.16,000 non-recurring, and Rs.2,000 recurring. The Lucknow University has also been assisted with a grant of money necessary for improving the teaching of gynaecology and obstetrics by the sanction of posts of a Professor and a Reader. This was an improvement which was very much called for. In previous years the students had to go to Madras for the purpose. The question of the women's hostel at Allahabad is still under consideration.

I come next, Sir, to secondary education. The reorganization of secondary education which was outlined in the Government Resolution

The Hon'ble the Minister for Education.]

of 1934 has been received with general approval by the Sapru Committee and by a whole lot of others. The Sapru Committee report was awaited before any actual steps were taken in the matter. Opinions on the resolution were called and have been received. The Board of High School and Intermediate Education considered it and the Central Advisory Board of Education has had the matter under consideration too. Government have now to work out the details and take practical steps. Mr. Weir has been placed on special duty for the purpose. Meanwhile the demand for more English education for boys is still very keen, in spite of the fact that since 1926-27, that is in the past ten years, the provincial expenditure on English secondary education, excluding European schools, has increased from Rs.40,55,000 to Rs.56,17,000. In 1921-22 the figure was Rs.30,72,000. The demand for more English education will be considered in connexion with the reorganization. Meanwhile Government have continued in the last year the development of the practical side of education by adding a manual training block to the Government Intermediate College, Moradabad, opening manual training classes in several Government High Schools and aiding 14 more recognized high schools to do likewise. To render the teaching in physical training classes more effective the department is preparing a progressive syllabus in the vernacular of a graded system of exercises with the help of a committee consisting of the Superintendents of Physical Training and the Assistant Director. The syllabus will provide not only for exercises but also for games suitable for children at every stage. Compulsory education for boys has been extended in the Benares District by the Board, who are financing it, in six school areas out of savings made by abolishing uneconomical schools. Another small area has been scheduled in Bijnor. The distribution of grants between various district boards for vernacular education has long been the cause of complaint. It was hoped that this complaint would be met when further grants were made; but the delay in the financial recovery of the province has prevented any considerable new grants being given. Consequently Government have formed a strong committee to review the allocation of grants to various boards for education. The committee is to suggest ways and means to bring about a more equitable basis of readjustment of the grants. The committee will also report on the question of fees in the vernacular schools.

Sir, girls' education is progressing. Four more high schools for girls have been recognized by the Board of High School and Intermediate Education in the current year and last year there were 10,690 more girls in schools than before. Education of girls in rural areas is being encouraged by the distribution to the boards for this purpose of the saving effected by the cut of 6½ per cent. in the grant to the district boards for boys' ordinary education. Over three lakhs recurring will be available. Various boards have been asked to forward schemes for the establishment of middle A.-V. schools for girls for helping existing middle schools for girls to become high schools and primary schools to become middle schools and for starting vernacular middle schools for girls with English as optional subject and for erecting hostels for girls attending schools. Two lakhs is available and is being distributed in

the current financial year for similar purposes. The new Normal School for girls at Budaun is being provided with a hostel and mistresses quarters. It will be remembered that this school was originally at Bareilly and was transferred to Budaun last year, while the Bareilly school was thus enabled to develop into a High School for girls—the first Government High School for girls in the province.

Primary education for girls has not escaped our attention. Compulsory education has been introduced in four wards in Cawnpore, two wards in Mirzapur and one ward in Muttra. It has also been sanctioned for the District Board, Etawah, and in Itaunja and Kakori Town Areas in the Lucknow District. Work has just started in these Areas and it is too early yet to make any useful comment. Schemes for the further extension of compulsory education for girls has been received for four village areas in the Bara Banki District and several school areas in the Partabgarh District. We had a scheme last year for the training of village teachers for rural uplift work. One hundred and eighty village school teachers have been so trained for rural uplift work and a sum of Rs 6,900 has been entered in the budget for rewards to them. These men are putting in their first year's work as rural missionaries for general welfare work in the villages.

The special needs of the depressed and backward classes continue to receive special attention. The Special Officer, Mr. M. L. Agarwala who had done much preliminary work in this direction died last March. His death was much regretted. He had made himself acquainted with the problems of depressed classes and acceptable to those among whom his work lay. Rai Sahib Babu Asharfi Lal who has taken his place is carrying on the work with much energy. A system of direct depressed class educational committees had been evolved for the province. These committees advise the local authorities in the matter of education of the depressed classes. The provincial committee has been strengthened and it now consists of three members of Legislative Council and 15 other leading members of the community. The amount available for this work is now Rs.2,27,539. It has been shown in the budget under various appropriate heads. A part has been used for the salaries of additional supervisors for depressed class education in the local bodies. All district boards and nine municipalities have now supervisors. Forty-seven of these 59 supervisors belong to the depressed classes themselves. Eventually over 4,000 students of this class will be receiving scholarships at a cost of Rs.75,000 annually. Free text-books are being supplied to some of those who are too poor to buy them; while a further sum has enabled special libraries and reading rooms in schools and schools for depressed class girls to be opened. Rs 10,000 has also been provided for educational help to Indian Christians whose origin is from the depressed class. I referred to this in the beginning of my speech. Another depressed class, that of minor girls whose parents or guardians intend them for a life of prostitution, is also receiving the assistance of the Education Department. A grant has been made in the current year to the Naik Kandaria Sudhar Sabha to erect a rescue home for 10 such girls and provision has been made for their maintenance and instruction in the current budget. Other work to forward the objects with which the Naik Girls' Protection Act and the Minor Girls' Protection Act have been passed has been taken by the Education Department; but I need not delay the House with further description.

[The Hon'ble the Minister for Education.]

To sum up, Sir, the Education Budget has been framed on the most economical and careful lines. It is the biggest which the Council has yet been asked to vote and yet is a great deal far from representing the full amount that the Education Department would want to have and would expect to get in more prosperous times. Education is still looking forward to the day when it can at least say that provision exists for all the 18 lakhs of boys and 28 lakhs of girls between the ages of 6 and 11, for whom at present no provision exists at all. What new money has been available has been devoted to mainly educational development amongst the depressed classes and for the education of girls. Other activities of the department have in these days of financial stringency had to mark time. Sir, I would now ask the Council to vote the demand which I have placed before the House.

Shaikh Muhammad Habib-ullah: May I know why there is this new increase of ten lakhs in the financial assistance to the education of Indian Christians whose origin is from depressed classes?

The Hon'ble the Minister for Education: It is ten thousand and not ten lakhs.

Shaikh Muhammad Habib-ullah: Why has the Minister not given any reason for this in his statement?

The Hon'ble the Minister for Education: I suppose it will come up in the discussion.

Shaikh Muhammad Habib-ullah: But suppose it may not come.

The Deputy President: Then the honourable member must take his chance.

Shaikh Muhammad Habib-ullah: I take it that the Minister is not prepared to answer.

The Hon'ble the Minister for Education: He is quite prepared to answer at the right time.

Khan Bahadur Maulvi Fasih-ud-din: Are there any depressed classes amongst the Christians according to the Minister?

The Hon'ble the Minister for Education: There are those whose origin is from the depressed classes.

Shaikh Muhammad Habib-ullah: What is the proportion of such Christians?

The Deputy President: I do not think we can have this discussion here.

Thakur Giriraj Singh: I beg to move that under sub-head University Education—Grants to Universities—1. Allahabad, a reduction of Re.1 be made.

Sir, Before I come to the point before the House, I congratulate the Hon'ble the Minister for Education for the able speech which he has delivered this afternoon. When he was first appointed a Minister in this House I was under the impression that he is a specialist in industries, but from his work in the last three years, as I am directly and indirectly interested in educational matters, I have come to this conclusion that he is a specialist in educational matters also and he

may well be termed an educationist in the true sense. In every department of educational matters whenever complaints have been sent to him he has tried his level best to remove those defects or complaints as far as lay in his power. As far as I am aware most of the boys of the depressed classes were so much unheeded a few years back that nobody cared for them. Even the supervisors that were appointed belonged to the upper classes, but now it is not so. To sum up, I think that he has done all that was within his power to improve the educational condition of the province.

Now, Sir, I come to my cut. The Allahabad University is the oldest University in the province, so I think that a greater amount of grant or as much as Government can give as grant should be given to it. From this nobody amongst us, who is in favour of another university, should abruptly arrive at the conclusion that I am against any other university but what I mean is that the Allahabad University deserves more than any other university, because the Allahabad University can well be called either the father or the mother of all the other universities in the province. If we look to the detailed estimates of the budget for the coming financial year 1936-37, we find that the amount of grant has further decreased. The grant given to Allahabad University in 1935-36, was Rs.7,71,935 and in the revised estimate it was reduced to Rs.7,64,200 and for the year 1936-37 the amount is only Rs.7,63,489 : in other words it is less than the amount which was revised last year, viz. the current year 1935-36. So, Sir, I submit that the amount should not be reduced at all because if we look to the annual report of the Allahabad University which has been supplied to us, though it is for the year 1934-35, we cannot but arrive at this conclusion that there are many departments in which many works are being postponed for a number of years because of lack of money.

Then there is the question of the construction of a wing of the Women's Hostel, for which our present Minister has been kind enough to grant Rs.35,000, which amount should be given soon.

Sir, the existing library at Allahabad is quite inadequate. Those who are educated, must know that unless we have up-to-date books, it is very difficult, nay impossible for the teachers and professors to be up to date, and, Sir, unless a teacher is up to date it is very difficult for him to make his pupils up to date. So, Sir, I will submit that in order to make the library up to date more grant, i.e. Rs.20,000 should be given to the Allahabad University.

If we look at the report of the Allahabad University, we will find at page 9 that for want of funds the rewiring of the electric installation of some of the University buildings, the renewal of gaspipes and electric fans, as also the repairs to the roads leading to the University have all been abandoned. The University hopes that the Government will favourably consider the needs of the University and fix an adequate grant to meet its growing requirements.

I am very glad to hear from the lips of the Hon'ble Minister that the Government is thinking of reviving the system of block grants. Sir, it is very essential to make block grants to these universities. Unless the Government do so, it is very difficult to keep the universities up to date. So I would request the Government to revive the system of making block grants as soon as possible.

[Thakur Giriraj Singh.]

Now, Sir, I wish also to submit that in the Allahabad University students are not allowed to take the M.A. and LL.B. together. I know that there are very few boys who wish to take both. But certainly there are boys who like to take both and who have hitherto taken both in other universities and passed the two examinations in a good division. I, therefore, submit that the Allahabad University also should allow boys to take up both M.A. and LL.B. together. There being no such facilities at present, some of the students leave the Allahabad University and go to other universities where they can take both M.A. and LL.B. at the same time. This causes inconvenience to some students whose homes are near Allahabad.

Then, Sir, the Executive Council of the University has decided that the minimum passmarks in Mathematics should be raised from 30 to 33 per cent. I am myself not a good mathematician. As far as I know, those who are great politicians or statesmen are never good mathematicians. "Mathematics" is not a subject in which everybody must get 30 or 33 per cent. marks before he is declared passed. There are many friends of mine who are great politicians; but who are not mathematicians. Mr. Brijnandan Lal referred to one of them, viz. Mr. P. N. Saprú. He was also my class fellow. My submission is that "mathematics" is not an important subject, though mathematicians say that mental culture is quite impossible if mathematics are neglected, but I do not agree with those who hold this view.

Sir, the Allahabad University is that university, of which not only I but most of the Councillors who are present here, ex-Councillors and other educationists must have been students once. So I think a larger grant should be given to this University. More money has not been provided in the budget which has been supplied to us, but if anything remains surplus and if the Hon'ble Minister thinks it proper and expedient a non-recurring grant may be given to the Allahabad University. If we look at the report of the Allahabad University, we will find that the University has tried its best to make economies in every department and now any farther retrenchment or economy is quite impossible. With these words I commend my motion to the acceptance of the House.

(Towards the end of the above speech the Hon'ble the President resumed the Chair at 3.15 p.m.)

Munshi Gajadhar Prasad: Sir, I am grateful to the honourable member on my left for drawing the attention of the House of the crying needs of the Allahabad University. As we all know, the Allahabad University is the oldest university in these provinces. It is also the premier university and during the years it has been in existence it has given a very good account of itself. It is to be regretted, however, that the finances of this University are not in a satisfactory condition. In spite of the best attempts that have been made from time to time by the University it now finds it very difficult to balance its budget. From the financial statement that we have received over the signature of the Honorary Treasurer of the Allahabad University we find that there happens to be a working deficit of Rs.22,870 during the year and that as the block grant has not been revised the University has been put to a good deal of inconvenience. We also find that in spite of the anxiety

of the University to maintain a financial equilibrium it has become a sheer impossibility and that the income and expenditure cannot be put on the same basis. The Honorary Treasurer who is a very careful man, so far as the finances of the University are concerned, says—

“Cuts have been imposed on the grant which the University used previously to receive, year after year, and while credit is taken for the increased income due to the increased enrolments, the increased grant required to meet the increased expenditure is grudged. The temporary retrenchments made by the University to meet the cuts made by the Government are moreover taken into account by the Government in calculating the average expenditure for the purpose of reducing the grant. The University thus suffers a double injury. The annual recurring expenditure required to meet the increased admissions cannot be reduced and the equipment, machinery, gas plant and electric installations require periodical replacement and renewal for which no provision is available. The University requires an additional grant of Rs.10,000 to keep the supply of books, journals and periodicals for the library up to date; the University trusts that the block grant will be revised at an early date to meet the growing requirements of the University.”

The Allahabad University is really very fortunate in having one of its distinguished alumni, as the Hon'ble the Minister in charge of Education. I have every hope that he will take into consideration the present needs of the University. There have been in the past criticisms with regard to higher education that is being imparted in universities; but, as has been said more than once, it is not proper to value the education given in universities in terms of pound, shilling and pence, or to brush aside the advantages of university education by the mere fact that the boys who pass out of universities do not receive suitable employment. The University report for the year 1934-35 has expressed a note of regret with regard to the views expressed during the annual budget debate held on the floor of this House on university education. Some honourable members seriously doubted the utility of university education and the improvement in the quality of teaching that has been brought about. But I may warn the House against treating this matter in a niggardly fashion. If we ignore the effects of the education that is being imparted in universities, and simply want to measure it by certain pecuniary methods, we shall not be right. With your permission, Sir, I will bring to the notice of the House the general idea about university education. The general idea is that we have had a good deal of university education, and that it is time now to close them down; and our energies ought to be centred towards primary and secondary education.

The Hon'ble the Minister for Education: That is not our idea.

Munshi Gajadhar Prasad: I am not blaming the Government. I am stating what has been said in the past on the floor of this House. With regard to university education, in answer to a question asked sometime ago, it was said that the number of students receiving

[Munshi Gajadhar Prasad.]

university education in the year 1921 was 7,111, and in the year 1935 it rose to 20,263. The percentage of university education in terms of the total population in 1921 was 0.16 and in 1935 it was 0.42. This includes, I may add, intermediate education given in intermediate colleges. So the percentage is very small, and efforts have got to be made in the direction of improving not only the standard but also the quantity of education. Now, we all know that professors of our universities have brought about very important researches, for example, we have certain researches made by Dr. N. R. Dhar with regard to the improvement of the soil. It is a matter of satisfaction that the Agricultural Institute has been pleased to give grant of a fairly decent sum; and it would be well if the Government also supplements that sum by any amount that it considers advisable. With regard to the finances, my honourable friend has already drawn the attention of the House and I have read out extracts from the report of the Honorary Treasurer himself. I think at this late hour it would not be any good to take up any more time of the House. I hope that the Hon'ble Minister will give us more money.

Rai Bahadur Babu Jagadeva Roy : Sir, I support the honourable mover of this cut and wish to draw the attention of the Government in respect of two main points. The first one is that when other universities are allowing M. A. students to take up LL.B. course simultaneously, I see no reason why this advantage should not be given to the Allahabad University. I hope that the Government will see that this privilege is granted to the students of the Allahabad University also.

The second point is about the grant. As to this, I am of opinion that the University have effected as much economy as was possible, and it appears now that there is no scope for further economy. In the circumstance it is necessary that the Government should see its way to make additional grant to the Allahabad University.

***Mr. C. Y. Chintamani :** Sir, I endorse the tribute paid by my honourable friend the mover to the ability that has been shown by the Hon'ble the Minister for Education in the administration of the affairs of this Department as he has in the other work that he has taken upon himself, but I am sorry that I cannot congratulate the Hon'ble Minister on the results that have been achieved. By a certain manner of presentation of figures he has tried to create the impression by the speech, with which he opened the Education debate, that notwithstanding an acute financial stringency progress has been accomplished. I have spent some time during the last two days on the perusal of the official records supplied to us, in particular of the last report of my friend the Director of Public Instruction, and I have come to a conclusion very different from that to which the same figures have led the Hon'ble Minister. I cannot congratulate him, I cannot congratulate the Department, I cannot congratulate the province on the condition in which education is at present or on the rate of progress which there has been during the last few years. In saying this I am not oblivious of the difficulties with which the Minister and the Department are confronted. Those difficulties in one word may be summed up as financial difficulties. Whether notwithstanding the general financial condition the Minister could not have made a stronger effort to obtain

* The honourable member has not revised his speech.

more funds from the Finance Department, particularly in view of the obligation under which he has gone out of his way to place the Finance Department by the revolutionary changes in the Excise policy, which he has made and is about further to make, is another question. On that point my answer is not one which the Minister would find gratifying.

There is another respect in which I must complain against the attitude of the Minister instead of congratulating him. When a few minutes ago my honourable friend, Shaikh Muhammad Habib-ullah, made an inquiry from the Hon'ble Minister with regard to a new grant of Rs.10,000 for the education of Indian Christians who have been converted from the depressed classes, to the missions working among the depressed classes, the Minister instead of giving an answer to the question said that he would answer it at the right time. The Minister knew very well what the hour was on the clock. He knew very well at what hour this discussion would automatically come to a close. He knew very well that until we reached the cut motion—no. 26-A on the agenda, that would not be raised in a formal manner. He knew very well that it has been the practice in this House of non-officials to make such inquiries at the conclusion of the statement of the members of Government, and for the latter to answer such inquiries, and yet he said he would answer that question at the proper time. The interpretation that could be placed upon the reply which was not an answer with which he contented himself, was that he was not ready to answer that question: and I am quite sure that he was not quite so ready and because he was not willing, and he was not willing because the answer would not be complimentary to the Government.

The Hon'ble the Minister for Education: I will answer it afterwards.

*Mr. C. Y. Chintamani: I uttered a criticism and made the same inquiry in the general budget discussion. The Hon'ble Minister spoke after me and very discreetly passed over that point. That was the time at which to answer, and he let the right time slip by. And, now when there will be no time he said that that was not the right time.

Now, Sir, I will come to the subject of universities. The finances of both the Universities of Allahabad and Lucknow should have come under review in the observations I was going to make, but with an eye on the clock I would prefer to speak on this motion and leave to my friend, the Treasurer of the Lucknow University, to speak in particular upon the affairs of the Lucknow University.

Now, Sir, with regard to the Allahabad University, the situation through which we are passing is most unedifying and undignified. We see almost a dual between the University and the Government. The universities complain that they are being starved; they complain that with the funds at their disposal they are unable to meet even their most urgent requirements. Government on the other hand claim that they have made no reduction whatsoever in the grants to those bodies and that those bodies have no occasion for complaint. I have gone through the reports and budgets of both the Universities of Lucknow and Allahabad. I have come to the conclusion that the universities have every right to

* The honourable member has not revised his speech.

[Mr. C. Y. Chintamani]

complain. The complaint is that their urgent requirements are not met and cannot be met from the funds which have been placed at their disposal, and that the Government are unresponsive to their further demands. The universities complain that the block grant system has been given the go-by and that each year grants are separately determined, and that by this means the department of the Government has acquired an amount of control over the internal affairs of the universities which it was never intended that any external authorities should possess. There is another aspect of this matter of the block grant which has been stressed in the report of the Lucknow University in the section relating to finance. It is that if the block grant for a number of years be revised at this juncture of the financial stringency of the province, it is quite likely that the amount of the grant might be fixed at a figure utterly inadequate to the requirements of the University, and it may not be an advantage to them. That is an aspect of the matter which must be borne in mind. Unless the Hon'ble Minister takes up the position that the financial condition of both the universities was as satisfactory as it would be expected to be and that no more is to be expected from Government, than the Government are at present doing, I will not take away the limited time at the disposal of the House by utilizing the material which I have collected in order to make out a case for both the Universities of Allahabad and Lucknow that the Allahabad University—I am not reflecting on the Lucknow University; I am only limiting myself to the terms of motion and am leaving it to my honourable friend to supplement the case of the Lucknow University—is not being run on extravagant lines, and that it could be much better administered. I will take the engineering department of the University. The expenditure on that department, on the staff and work combined, is not more than Rs.38,020 as against the corresponding figure of Rs.1,81,832 for the Lucknow University.

The Hon'ble the Minister for Education: Which department is it?

***Mr. C. Y. Chintamani:** The engineering department. From this sum of Rs.1,81,832 should be deducted Rs.67,948, the expenditure on the Medical College, an institution nothing corresponding to which exists at Allahabad. After making that deduction the disparity between the figures for the two universities is still apparent. I have called attention to this disparity not with a view to suggest that the Lucknow University is spending more than it ought to, but to suggest that the Allahabad University is managing its business with an economy bordering upon stringency and detrimental to efficiency. It is quite likely that the Lucknow University is acting very wisely in spending this amount, but what I am suggesting is that the Allahabad University would be wise in raising its expenditure to the level of the Lucknow University on its buildings, its roads, its electric power, gardens, etc., so that they may be in a proper state of efficiency. Sir, I have been considering for some little time as to what can be the best solution of this problem of university finance. Reading the report of the Director of Public Instruction and the comparable figures available to us in the Statistical Abstract of British India, we cannot avoid the conclusion that, taking the university education as a whole, and dismissing for one moment from our minds the present requirements of the two Universities of Allahabad

* The honourable member has not revised his speech.

and Lucknow, the Government of the United Provinces have throughout these years been very liberal to the university education. The percentage of the total expenditure on university education is higher in these provinces than in other provinces. The aggregate expenditure on education is higher elsewhere than here, but that is due to the fact that the income in other provinces from sources such as endowments, fees and various other sources, is higher than here. But the Government cannot run away with great satisfaction on account of this score; they must bear in mind certain other factors. We cannot readily complain that the Government are very illiberal to universities. But while we say that the proportion of educational expenditure upon universities is higher in the United Provinces than in other provinces, the state of primary and secondary education is more unsatisfactory here than elsewhere. But on account of this we cannot make any unqualified complaint against the Government. The Government must also bear in mind that the universities are their creations; they have been brought into existence by them by Acts of Legislature. When they established the universities they undertook the responsibility of maintaining them in a state of efficiency. They ought to discharge that statutory responsibility. They cannot run away from the fact that the responsibility is theirs. They can say that they are already spending so much and they cannot spend more. I have here in front of me an honourable member who piloted the Lucknow University Bill in the Council. I would ask him to say whether the Government did not undertake in 1920 with the aid of benefactions from taluqdars and other public-spirited gentlemen to supplement the income made available from these private sources by such grants from provincial funds as will keep the University in a state of efficiency. I would remind him of the discussion in Council that took place in another place in this very city in Bennett Hall of the Canning College. I would ask him whether such hope and confidence were not expressed at that time that as a teaching and residential university the Lucknow University might be conducted in such a state of efficiency as to be an example to other universities. Now can Sir Maharaj Singh say that these hopes have been realized? The case of the Allahabad University stands on the same footing. If the Government thought that they would not be able to maintain the Allahabad University in a state of efficiency as a teaching and residential institution, they had no business to reorganize it as they did by the Act of 1921. An inefficient teaching and residential university is much worse than an efficient examining body. So there is that obligation upon the Government. But then suppose the Government in view of this obligation were to increase the grants to universities, where are they to find money from? We would not agree to that by decreasing the proportion of educational expenditure that is applied to primary and secondary education. On the other hand the need is very urgent, the most urgent that the expenditure upon primary and secondary education should increase and increase gradually and rapidly. So that unless the educational budget of the province is increased the Education Department will never be able to satisfy the demands of the universities. We have been hearing tales of woe uttered by the Hon'ble the Finance Member as to where is the money to come from. If we are asked to increase taxation, we rightly object to it. If he curtails expenditure upon other beneficial

[Mr. C. V. Chintamani]

objects of agriculture, industries, communications, medical, public health, etc. we object. So we find ourselves in a quandary. There is no escape from that. In this situation I have one suggestion to make for the consideration of Hon'ble Minister. I would ask him to consider whether he may not set up a committee, a small committee, a very small committee, of not more than three members, none of these members to be connected with the Government or with the universities. I would suggest a Judge of the High Court who is not a member of the Court or the Executive Council of the Allahabad University, as Chairman, a Judge of the Chief Court of Oudh unconnected with the Lucknow University in any capacity and a member of the Legislative Council, who is not a member of any University body either in Lucknow or Allahabad or Agra. A committee of these three with a capable officer of Government, who does not belong either to the Education or to the Finance Department, as Secretary, should have power to obtain information and to take evidence of the representatives of the Finance Department with regard to the general financial condition and the capacity of the province and to take evidence of the representatives of the Education Department with regard to the needs of the various branches of education the representatives to be one from each of the three universities of Agra, Allahabad and Lucknow, one representative from the Board of High School and Intermediate Education and one representative of the Board of Vernacular Education. The committee will then be in a position to form a picture in their own mind of the limits of the financial capacity of the province, of the resources and the obligations of the Education Department here with reference to the various branches of education and the requirements of universities, secondary institutions and primary institutions. On that basis the committee will make impartial recommendations to Government as to what would be the proper allotment for education and the equitable distribution of that allotment among the various branches of education and among the three universities. The committee's report will have no status higher than that of recommendations. The Government cannot and the Legislative Council will not deprive themselves of the power and responsibility of deciding on behalf of the tax-payer merely because the committee made that report; that report will be considered by the Legislative Council and having placed themselves in possession of the report and the recommendations of that committee and the Legislative Council on the various interests affected, the Government will make a distribution of the funds. That should hold good for five years. At the end of each five years a review may be made of the position and a block grant may be made on that basis. I am not committed to every detail of the suggestion that I have now thrown forward, but it does seem to me that there is something in it and I should be glad if the Hon'ble Minister will consider this suggestion without prejudice because it comes from me, but on its own merits. On one point I am quite sure he will agree with me. It cannot be gratifying to him, it cannot be gratifying to the universities, it cannot be gratifying to the Legislative Council to open their paper every day only to find these quarrels between the universities and the Government, the universities complaining that they cannot carry on

their work properly for want of funds and the Government defending themselves that they are giving to universities more than they should be given. These things can give no satisfaction to anyone. Immediately I would ask the Hon'ble Minister to pay personal attention to the statements of their urgent requirements embodied in the latest annual reports of both the Lucknow and Allahabad Universities and to do the best he can to meet at least some of those requirements, so that the students may not ultimately suffer. These are the observations that I have to make and I hope he will consider my suggestion.

Thakur Balwant Singh Gahlot : Sir, if I join the mover of this cut in congratulating the Hon'ble Minister I have my own reasons for doing so. The first reason is that he has presented the biggest budget for education that has been ever presented on the floor of this House. That by itself is a fact which deserves appreciation from this side of the House. The next point is that the percentage of the expenditure on education out of the total revenue in this province is higher than in any other province in India. Sir, by making these observations I wish that I may not be misunderstood that I am for not increasing expenditure on education, especially university education. The increasing number of students in the universities certainly deserves increased expenditure. Moreover to expect and hope for best results from these universities we must provide them with the most equipped laboratories, the best equipped libraries and the best available staff. But, Sir, at the same time we have to see whether with the pressing needs in other departments of education like primary and secondary education we can go to that extent, whether we can spend in so many universities such a huge amount as is necessary to keep the efficiency of the universities to the mark that is desirable. As the hour is late and the time at our disposal is short I would not like to make a lengthy speech; but I would make one suggestion for the consideration of Government, and that is the question of specialization of different universities in different subjects. We have in these provinces five universities. If there is a race in these universities for specializing in every possible subject then it would be absolutely impossible to provide for necessary things without cutting down the expenditure on other equally important departments. We find Sir, that in foreign countries where the best kind of education is imparted every university has specialized in one subject or other; but here what we find is that every university tries to specialize in every possible subject. This is duplication of work and leads to a good deal of wastage of money which could be better utilized in other ways. As most of us know, in England, Cambridge is famous for one subject, Oxford is famous for another and so on; the same is the case on the Continent. Why not introduce the same system here. Allahabad, Lucknow, Benares and Aligarh—they are not far off places. If a student can come over 200 miles for education, he can go 300 miles for the same purpose. Moreover, these five universities exist in the same province and the facilities for lodging and boarding are equally good in all the five universities. Why should not a committee be set up to make recommendations on the lines that I have suggested?

Sir, with these words I resume my seat.

Mr. E. Ahmad Shah : There are one or two points on which I would like to express my views before this House. These have been suggested by the members after the opening speech of the Hon'ble Minister for Education. One of these was raised by a question concerning the grant which the Government have given towards the education of Indian Christians who have come out of the depressed classes. I would not have referred to this issue under University education, but since the Leader of the Opposition has drawn the attention of the Government to this and since there is no time left for this issue to be taken up later, I would like to make a few observations on it, with the permission of the Chair. There are two things involved in this. The honourable House is aware that two years ago when a special conference was arranged for considering the question of education of Muslim and backward classes a similar conference was organized for considering the educational demands of Indian Christians residing in the villages. It is well known that on the initiative of Government a similar conference was arranged for considering the question of the education of depressed classes. These conferences were convened with a view to looking into the requirements of the needs of the communities concerned. It is after two years, having made a careful enquiry into the merits of the requirements of the village Indian Christians, that Government have been gracious enough to allot a sum of Rs.10,000. It is a matter of regret that so many honourable members have raised questions concerning this paltry sum. The Indian Christians form just as much a part of the national life as any other community. Then why grudge this amount? There is no denying the fact that thousands and thousands of Indian Christians residing in the villages suffer social disabilities under the present social customs which are observed by different communities. If they suffer under these social disabilities, and are thus handicapped in various walks of life, and if we put forward our legitimate requirements before the Government and if the Government, on recognizing the legitimate demands, have granted a paltry sum of Rs.10,000, why should honourable members and particularly as responsible an honourable member as the Leader of Opposition question the validity of this grant. I would respectfully urge my colleagues to look upon this grant with as generous a liberality as they look upon other grants which Government give to other backward communities.

Coming to the grant for University education, I give my full support to the issue that is before the House. In this case I agree with the Leader of the Opposition that the universities were created by Government. Government had full insight of their developing demands. They, as a matter of fact, have not been illiberal in giving grants to these two universities. But our complaint to day is that, during the last few years of the growing development of the universities, during which period the number of scholars have increased from 7,000 to 20,000, Government have not given correspondingly increased grants to universities. The Allahabad University should be supported in its every new requirement. Government should examine every possible item of expenditure which has been put forward by the Allahabad University, and finding the case cogent, should liberally provide her with funds. If time permitted I would have brought the case of the Lucknow University to the notice

of the House, but as time does not permit I would only briefly state in general terms the need of the Lucknow University under this cut motion. The demands of the Lucknow University are presented to the Government under two heads. Firstly there are certain miscalculations in the income and expenditure of the university, which should be corrected by the Government. Correspondence has been going on between the Lucknow University authorities and the Government and we on the university side have definitely pointed out the basis of those miscalculations, which amount to the extent of Rs.25,000, and we hope that Government will carefully look into them and make good the loss.

The second demand in our representation is under several heads. These heads are very much the same as those of the Allahabad University, as put forward through the cut which is under consideration. These consist of library grants, Public Works Department grant, leave reserve and women's hostel. The demand under these heads comes up to Rs.35,000. So the total demand which is under the consideration of the Government as put forward by the University is for Rs.60,000 comprising of Rs.25,000 under miscalculations in the income of the University and Rs.35,000 under the demands for special representations. Therefore, Sir, I support the honourable member who has put forward the case of the Allahabad University and request that the Lucknow University should receive the same generous considerations and I hope that the Government will be liberal enough to concede to our demands.

Mr. H. R. Harrop : Sir, the time is growing short, and it seems to be my fate to get to my feet towards the end of the debate when speeches have to be curtailed. I regret that fact. Thakur Giriraj Singh has referred to a reduction in the revised expenditure of the Allahabad University over the budget estimates for 1935-36. That reduction, Sir, is largely, almost entirely due to the reduction that the Education budget as a whole unfortunately suffered owing to the need for economy. He asked that Government would be good enough to give more money for the library and more money for non-recurring grants for special repairs. Those demands have been emphasized by my friend Mr. E. Ahmad Shah who has asked for another Rs.35,000 for the Lucknow University. Those demands, Sir are considerable, in these hard times, such grants are difficult to make. But the Education Department would desire greatly to help libraries in the universities and to meet other essential demands of the universities; and as soon as finances permit, these requests will be taken into consideration. Thakur Giriraj Singh also asked that the revision of the block grants should be undertaken and completed and brought into force early. As the Hon'ble Minister for Education said in his budget speech, the matter is now under the consideration of Government, and I hope that revised grants will be introduced, I can assure the House that it gives the Director of Public Instruction no pleasure indeed it gives him a great deal of labour and pain—to go through the University budget annually, as we have been compelled to do of late years, to ascertain how much the universities need to balance their budgets. It is much more satisfactory from every point of view that the universities should have block grants to balance their budgets.

It has been urged that the universities have suffered cuts, which

Mr. H. R. Harrop.]

should not have been made. In reply to that I wish to point to one fact, that during the three years ending in March, 1935 the Allahabad University's recurring income and recurring expenditure did balance. Actually in 1934-35 the recurring income of the Allahabad University exceeded the recurring expenditure by a sum of Rs.11,000, as can be calculated from the University budget itself. I do not say, Sir, that this is a proof that the grant to the University is sufficient or as much as the Education Department would like to give; but it does show that the University was able to live within its income and that the over-draft which the University has is the result of expenditure of a non-recurring nature which the University has itself undertaken.

I need not delay the House, I think, by discussing the possibilities of co-ordination between the universities. It is a long story and would take more time than is at my disposal fully to discuss it. But before I sit down, I would like to refer very briefly to the eloquent plea put forward by the honourable Leader of the Opposition asking for a committee, as I understand him, to review the financial possibilities and the distributing of those possibilities between the various heads of education and between the universities. I trust the honourable member will correct me if I have mistaken him. Such a review I should heartily welcome on behalf of the Education Department. I do not know what line the Hon'ble Minister will take in this matter, but as Director of Public Instruction I do feel that the distribution of money between the various heads of the Education budget is too haphazard, that it depends upon the exigencies of the moment rather than upon any considered plan. It was all very well in the years when education was being liberally financed, in the early years beginning, say, from 1919—20 when money was available, when the Education Department budget increased every year without serious opposition—it was all very well then to finance everything that happened to come before you, but now when we are faced with considerable difficulties and the future of education is before the House and before the country, I personally should welcome a review of the position and an endeavour to come to a balanced distribution of expenditure between the heads of universities, Secondary, Primary, and Special Education and indeed I should not object to a review of the expenditure upon Direction and Inspection.

With these words I will sit down, trusting that the honourable mover will not press his motion.

Mr. C. Y. Chintamani : Have I your permission, Sir, to make one inquiry from the Director of Public Instruction?

The Hon'ble the President : Yes.

Mr. C. Y. Chintamani : With reference to his observation that in the year 1935-36 the Allahabad University closed its year without a deficit, will the honourable member say if it is not a fact that between 1934—35 and 1936—37 the Allahabad University has a progressive deficit of more than one lakh of rupees, that in 1934—35 itself the minus opening balance was 28,832 and in 1935-36 it was Rs.86,255, and so on,

Mr. H. R. Harrop : I do not deny the figures which have been put forward by the University. I think these are the University figures that the honourable member is quoting.

Mr. C. Y. Chintamani : You do not accept the University's figures ?

Mr. H. R. Harrop : There are some corrections which I could make to them.

Mr. C. Y. Chintamani : The compliment could be reciprocated.

Mr. H. R. Harrop : But actually what I did say was that in the year 1934-35 the recurring income of the University exceeded the recurring expenditure by Rs. 11,000.

Shaikh Muhammad Habib-ullah : I never thought that I shall have to speak on this motion as it was chiefly limited to the Allahabad University. My friend, the Leader of the Opposition, has instanced a case in which he said that the Allahabad University were managing their affairs very economically as compared to Lucknow University. He quoted the figure comparing the expenditure on the works departments of the University amounting to Rs.38,000, and in the Lucknow University of over a lakh and something. I may explain to him that this lakh has absolutely nothing to do with the Government, except the sum of over Rs. 50,000 for the Nursing Home. Rs. 70,000 is the sum provided for the building of the library out of the resources of the University itself which we have so economically saved. I may say on the floor of the House that during the eleven years that I have been the Treasurer of the University we have saved not less than 14 lakhs and have spent the whole amount on rebuilding our University which the Government would have had to build but for our husbanding our resources so economically. There is no doubt that both the Allahabad and Lucknow Universities do suffer at the present moment, not because anything is being done deliberately by the Government, but because the Universities have to share the fate of every other department of the Government. I never grumble when Government say "No" to anything we want. I must say that I as the Treasurer of the Lucknow University have always had in my mind the interest of the exchequer as well and not of the University alone. It is in this spirit that I have worked during the eleven years that I have been the Treasurer and I am glad to say that during this period there has never been a serious cause of complaint by the University against the Government, because we felt that the Government have gone as far as they could to meet our demands.

I notice that there is a feeling against the expenditure on University education, the more so because of the unemployment existing among the graduates of universities. The Government have got to consider the interests of university education along with the interests of secondary education.

As regards the block grant, I am one out of the many who are not in favour of making any compromise at this juncture. In this connexion I submit that we should not make an attempt to get a block grant because the Government are at this moment at the lowest ebb of their finances. If they give a block grant we may suffer and it is therefore better to live on the year-to-year income. If we are able to meet our recurring expenditure from our recurring income, personally I would be perfectly satisfied, because after all we must share with other departments of education in the matter of the pace of progress.

[Shaikh Muhammad Habib Ullah.]

Now, some gentleman has said to me that the block grant to the Lucknow University is larger than that of the Allahabad University, I say that it is very much less than the grant to the Allahabad University, and that the block grant to the Lucknow University is really very small. After all, I do not grumble about that. The Allahabad University is a very very old institution, and I have the honour to be a graduate of that University, for which I have great respect. But the Lucknow University in its humble way is also making progress. Over 2½ lakhs of grant to Lucknow University is meant for Medical College and hence the figure of grant is high. I must say that our demands for Medical College must be considered before and in preference to the scheme of any other university education. The case of medical students is very important and Medical College is a new institution and we have to build it up.

I wonder if I can say a word about the grant for the depressed class of Indian Christians. Mr. Chintamani introduced that subject and it was resented by Mr. Ahmad Shah. I know that there is a depressed class; but there should be no distinction about the depressed classes of Muslims or of Hindus or of Christians. All depressed classes should be treated in the same way. But it is a mystery that a separate item of as much as Rs.10,000 has been allotted to the depressed class of Christians—a class which has got more literacy among it than any other community in the province—a class which is supported by missionaries of many outside countries, England, Scotland, Ireland, America and others. I should like to know under what circumstances this allotment has been made to the depressed class of Indian Christians. I may very frankly say that when the Muslims came to India, conversion from other religions to Islam was from depressed classes. Even when the British came, conversions to the extent of 95 per cent. were from depressed classes. The question is one of making provision for those who live in villages and who being depressed have changed their religion. It is therefore meant to assist this process of conversion. Is it not?

The Hon'ble the Minister for Education: As the time is very short, I will briefly deal with two or three of the salient points raised in the debate. First and foremost, I wish to thank those honourable members who have complimented me on whatever little I have been able to do as Minister for Education. In particular, I wish to thank the Leader of the Opposition who, to my great gratification, has joined in this tribute.

I will, now, deal with the question of the grant which we are giving for the benefit of Indian Christians. This is really not a matter relevant to the debate; but as the matter has been introduced, and as there seems to be some misunderstanding on the subject, I wish straightaway to explain the item. Sir, there are a large number of Indian Christians who reside in the villages, whose origin is from the depressed classes. They still suffer from the same social disabilities and educational backwardness as the depressed classes themselves. They have simply changed their religion and they deserve help in the matter of education. This was brought out by the Conference of Indian Christians, which was held a couple of years ago. There was no reason as to why Government should not help the Indian Christian boys in the same way as they were helping the depressed class boys with scholarships. The amount which we had

set apart for scholarships for the depressed class boys was Rs.75,000. We could have taken out Rs.10,000 from that and earmarked it for the Indian Christian boys who suffered from similar disabilities. Instead of that we were able to secure, through the kindness of the Finance Department, an extra Rs 10,000.

Mr. C. Y. Chintamani : What about the missions among the depressed classes ?

The Hon'ble the Minister for Education : Because the money has in some cases to be distributed through the missions, which are responsible for the care of these depressed classes. So we have done nothing extraordinary in this matter : we are only proposing to assist Indian Christian depressed class boys, who have identical claim on us as the other depressed class boys.

Shaikh Muhammad Habib-ullah : Through missionaries ?

The Hon'ble the Minister for Education : In some cases.

Now, Sir, I turn to the questions raised with regard to the universities. I am entirely at one with the desire of the honourable members to improve the financial resources of the universities. I recognize that the needs of the universities are great and that they have not been given the money which they should have got in order that expansion may have taken place in a proper way. All the same, as my friend the Leader of the Opposition has pointed out, the expenditure on universities in these provinces is higher than in any other province. I acknowledge that the credit for this goes largely to my friend, who was the first Minister of Education and during whose regime there was a great expansion of University education. However, resources are not what they used to be and very reluctantly the Education Department is compelled to refuse certain demands of the universities along with the demands of other educational institutions.

As to the system of block grant, we are entirely at one with those honourable members who want the system to be reintroduced. In fact I was ready to do so and I called a conference of the Vice-Chancellors to discuss the details. Afterwards it was pointed out to me by my friend the Treasurer of the Lucknow University that the present was not the opportune time for fixing a block grant for a period of years. I recognized the force of this argument. We would not have been doing service to the universities if on the basis of the present allotments we fixed a grant for a number of years, and I thought it would not be a bad thing to wait until times improved. However, if there is a real desire on the part of the universities to have the block grants fixed at once, I for one will have no objection. I am very interested in the suggestion made by Mr. Chintamani in regard to setting up a committee to advise the Government as to the distribution of money between the different branches of education. I will examine the proposal and I will consult my friend if we come up against any difficulties.

Sir, my friend Mr. Ahmad Shah referred to the Rs.10,000 as being a paltry sum. I wish to point out to him that this sum is intended only for special scholarships and as far as I remember the Conference of Indian Christians recommended that the amount which should be

[The Hon'ble the Minister for Education.]

spent on these scholarships should be Rs.10,000 or Rs.15,000 at the outside. So we have met them as fully as we can.

Sir, it is very nearly guillotine time and I will not take up any more points. Some of the points have already been dealt with by the Director of Public Instruction, with whose remarks I entirely agree.

Thakur Giriraj Singh: Sir, I have heard the reply of the Director of Public Instruction and the Hon'ble the Minister for Education. There is one point which was not replied and that was about allowing students of the Allahabad University to take up the LL.B. along with the M.A.

The Hon'ble the President: For that the honourable member had better wait till next year. It is half-past four.

The question is that for Education a sum of Rs.2,05,26,705 be granted.

The question was put and agreed to.

(The Council was then adjourned at 4.30 p.m. till the following day.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Thursday, the 19th March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (95):

The Hon'ble Mr. J. M. Clay.	Rai Govind Chandra.
The Hon'ble Kunwar Sir Maharaj Singh.	Pandit Shri Sadayatan Pande.
The Hon'ble Nawab Sir Muhammad Yusuf.	Raja Sri Krishna Dutt Dube.
The Hon'ble Sir Jwala P. Srivastava.	Rai Bahadur Babu Jagadeva Roy.
Mr. H. Bomford.	Mr. Dahari.
Mr. J. L. Sathe.	Rai Sahib Rai Rajeshwari Prasad.
Mr. A. B. Reid.	Thakur Giriraj Singh.
Mr. P. M. Kharegat.	Pandit Prem Ballabh Belwal.
Mr. A. A. Waugh.	Thakur Jan Bahadur Singh Bisht.
Rai Bahadur Mr. Phul Chand Mogha.	Pandit Brahma Dutt Bajpai.
Rai Bahadur Chhuttan Lal.	Rai Bahadur Thakur Hanuman Singh.
Mr. H. J. Frampton.	Rai Bahadur Lal Sheo Pratap Singh.
Mr. C. W. Gwynne.	Thakur Muneshwar Bakhsh Singh.
Mr. Himmat Singh K. Maheshari.	Raja Birendra Bikram Singh.
Khan Bahadur Munshi Mushtaq Ali Khan.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. Pratap Shankar.	Mr. C. Y. Chintamani.
Rai Bahadur Ram Babu Saksena.	Rai Rajeshwar Bali.
Mr. D. L. Drake-Brockman.	Mr. Zahur Ahmad.
Mr. A. C. Turner.	Syed Ali Zaheer.
Mr. R. A. Horton.	Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Khan Bahadur Maulvi Fasih-ud-din.	Syed Yusuf Ali.
Mr. E. Ahmad Shah.	Khan Bahadur Shah Nazar Husain.
Rai Sahib Babu Rama Charana.	Nawabzada Muhammad Liaquat Ali Khan.
Mr. Perma.	Mr. Muhammad Rahmat Khan.
Rai Bahadur Babu Kamta Prasad Kakkar.	Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan.
Chaudhri Ram Dayal.	Khan Bahadur Muhammad Hadiyar Khan.
Chaudhri Jagarnath.	Khan Bahadur Saiyid Zabid Ali Sabzposh.
Chaudhri Baldeva.	Khan Bahadur Hafiz Ghazanfar Ullah.
Rai Bahadur Sahu Jwala Saran Kothiwalla.	Khan Bahadur Saiyid Jafer Hosain.
Mr. Tappu Ram.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Ram Chandra.	Khan Bahadur Maulvi Muhammad Fazl-ur Rahman Khan.
Chaudhri Ghasita.	Khan Bahadur Sirdar Muhammad Shakir-dad Khan.
Chaudhri Arjuna Singh.	Khan Sahib Muhammad Imtiaz Ahmad.
Rao Sahib Thakur Shiva Dhyan Singh.	Shaikh Muhammad Habib-Ullah.
Rai Bahadur Kunwar Girwar Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Pandit Joti Prasad Upadhyaya.	Raja Sir Muhammad Ejaz Rasul Khan.
Chaudhri Dhirya Singh.	Raja Saiyid Muhammad Mehdi.
Rao Krishna Pal Singh.	Mr. L. M. Medley.
Rai Bahadur Kunwar Dhakan Lal.	Rai Bahadur Lala Anand Sarup.
Thakur Baiwant Singh Gahlot.	Rai Bahadur Lala Bihari Lal.
Rai Bahadur Mr. Brij Lal Badhwar.	Chaudhri Muhammad Ali.
Rao Bahadur Kunwar Sardar Singh.	Rai Bahadur Lala Prag Narayan.
Rai Bahadur Babu Manmohan Sahai.	Raja Bisheshwar Dayal Seth.
Rai Sahib Babu Kamta Nath Saksena.	Raja Jagannath Bakhsh Singh.
Kunwar Jagbhan Singh.	Munshi Gajadhar Prasad.
Thakur Keshava Chandra Singh.	
Mr. Brijnandan Lal.	
Rai Sahib Ram Adhin.	
Mr. Bhondu Ram.	
Raja Bhagwati Prasad Singh.	

MEMBERS SWORN:

Mr. C. W. Gwynne.
Rai Bahadur Chhuttan Lal,

QUESTIONS AND ANSWERS

STARRED QUESTIONS

APPOINTMENT AND PROMOTION OF MINISTERIAL OFFICERS IN THE HIGH COURT, ALLAHABAD

O. no. Date

*69 21-11-35

*23 26-2-36

*3 16-3-36

***1. Rao Krishna Pal Singh :** (a) Will the Government be pleased to state how many clerks and other ministerial officers have been appointed or promoted from lower to higher posts in the High Court during the last five years ?

(b) Will the Government lay on the table a statement showing the number and the names and the qualifications of clerks and other ministerial officers who have been appointed or promoted during the said period, including in the latter case a statement of the length of service of each person so promoted ?

(c) Will the Government also give a list of persons of longer service in the High Court who have been superseded, with reasons for such supersession ?

The Hon'ble the Home Member (Kunwar Sir Maharaj Singh) : (a) During the period from 1st July, 1930 to 28th February, 1936, the number of such appointments and promotions was 29 and 297, respectively.

(b) and (c) A statement* is laid on the honourable member's table.

I should like to point out, however, that the preparation of the statement has involved a great deal of time and labour.

APPOINTMENT OR STAMP REPORTER IN THE ALLAHABAD HIGH COURT

*69 21-11-35

*39 26-2-36

*3-A 16-3-36

***2. Rao Krishna Pal Singh :** (a) Is it a fact that a reader in the High Court who is a graduate in Arts and in Law has been recently superseded in the appointment of stamp reporter after he had officiated as such on many previous occasions ? What are the reasons for such supersession and in whose favour was he superseded ?

(b) Is it a fact that when a similar vacancy arose during the time of Sir Grimwood Meares the late Chief Justice held an examination and found the Reader now superseded to be more fit for the post of Stamp Reporter than the one who has now been appointed ?

(c) Was a fresh examination held by the present Chief Justice before supersession of the same person who had been found better fitted by Sir Grimwood Meares ?

The Hon'ble the Home Member : (a) There was no supersession of any reader who was a graduate in Arts and in Law. In 1930, Mr. Kirpa Shankar Varma, B.A., I.L.B., a junior translator, who was acting as a Bench Reader was appointed to officiate for the Stamp Reporter in a leave vacancy for three months "on the express understanding that this acting vacancy gives him no claim to a permanent or officiating appointment in preference to senior men eligible for the post who may be found fit at the time it falls vacant." Mr. Kirpa Shankar Varma again officiated for 17 days in 1931.

In 1932 a permanent vacancy occurred in the appointment of Stamp Reporter on a salary of Rs. 345 per mensem owing to the promotion of Rai Sahib Babu Chhail Bihari to the post of Superintendent of the English Department. Mr. Kirpa Shankar Varma had only about 11 years' service to his credit and was drawing Rs. 140 as Bench Reader while

*Not printed.

Mr. Risalat Ali Khan, who was also a graduate in Arts and Law, was the head of the Translation Department, was at that time drawing a salary of Rs.285 and had put in over 24 years' service. The Chief Justice considered that it would be very unjust to allow a junior employee to supersede one who was the seniormost man next to the Stamp Reporter and was qualified for the post.

(b) No similar vacancy arose in the time of Sir Grimwood Mears. In 1930 the Registrar informally tested two men only. Mr. Kirpa Shankar Varma was considered by him to be the best and was accordingly recommended for the officiating appointment (1) on the distinct understanding mentioned in the answer to part (a) of this question and (2) with a note that it was not intended to pass over Mr. Risalat Ali Khan permanently in favour of Mr. Kirpa Shankar Varma.

(c) No. The seniormost man qualified to act was appointed on probation and when his work was satisfactory, he was confirmed on 20th October, 1933.

Rao Krishna Pal Singh : In question no. 2 (b) I inquired whether an examination was held when the selection was made, but I find no answer with regard to this point.

The Hon'ble the Home Member : No examination was held.

Rao Krishna Pal Singh : Is this the practice when making selections in the High Court ?

The Hon'ble the Home Member : I have no information on that point.

Rao Krishna Pal Singh : May I know if the Government approve of the way in which this appointment was made and of the way in which Mr. Kirpa Shankar Varma was deprived of the appointment ?

The Hon'ble the Home Member : There is no reason to consider that the appointment of Mr. Risalat Ali Khan was open to objection.

Rao Krishna Pal Singh : With regard to the statement referred to in the answer to question no. 1, may I know if the Government have considered this statement ?

The Hon'ble the Home Member : The statement laid on the honourable member's table has been seen by the Government.

Rao Krishna Pal Singh : Have the Government considered whether the appointments included in it have been made properly ?

The Hon'ble the President : I do not know whether the approval of the Government would be called for in a matter of that kind.

Rao Krishna Pal Singh : I want to know if the statement has been considered . . .

(No reply)

Khan Bahadur Maulvi Fasih-ud-din : Does an officiating appointment entitle an employee to supersede another senior man at the time of the permanent appointment ?

The Hon'ble the Home Member : That has already been answered. It is stated in the reply to question no. 2 that Mr. Kirpa Shankar Varma was appointed on the express understanding that the acting vacancy gave him no claim to a permanent or officiating appointment in preference to senior men.

O. no. Date

*73 21-11-35

*33 26-2-36

*4 16-3-36

OFFICIAL LIQUIDATORS APPOINTED BY THE HIGH COURT

*3. **Rao Krishna Pal Singh** : (a) What is the total number of official liquidators appointed by the High Court during the last two years? Will the Government lay on the table a list of the same with a statement of the qualifications and experience of each person appointed as liquidator?

(b) Will the Government consider the desirability of appointing whole time official liquidator of suitable qualifications?

The Hon'ble the Home Member : (a) (i) Fourteen.

(ii) Government have no information. Such appointments are made under judicial orders passed by the Company Judge in open court.

(b) Government have no such power under the Indian Companies Act.

33(b)

22-11-'35.

39 28-2-'36

*4. **Pandit Joti Prasad Upadhyaya** : [Postponed till 20-3-1936]

REALIZATION OF TAGAVI LOANS

*29 28-2-36

*5. **Rai Bahadur Chaudhri Raghuraj Singh** (*absent*) : (a) Is it a fact that instalments of *tagavi* loans advanced to agriculturists which were postponed on account of slump are being realized in lump sums?

(b) If yes; why? Is the Government prepared to order the realization of such loans in instalments knowing that the paying capacity of the agriculturists is in no way better?

(c) Will the Government be pleased to consider the advisability of remitting the amount of interest accumulated so far on such loans?

The Hon'ble the Finance Member (Mr. J. M. Clay) (a) : and (b) In cases where the borrower was in a position to pay an instalment, but deliberately neglected to do so, efforts are being made to realize it along with instalments falling due subsequently.

(c) The honourable member is referred to the answer to question no. 8 following.

*29-A 28-2-36

*6. **Rai Bahadur Chaudhri Raghuraj Singh** (*absent*) : Is the Government aware of the fact that the sums of *tagavi* loans granted under the Agriculturists' Loans Act, XIX of 1912, in the Bulandshahr District are being realized in a way which drive the agriculturists to the money-lenders? If yes, why? If not, do the Government intend to enquire about it?

The Hon'ble the Finance Member : Government have made inquiries, and the answer to the first part of the question is no. The other parts do not arise.

*30 28-2-36

*7. **Rai Bahadur Chaudhri Raghuraj Singh** (*absent*) : (a) Is the Government aware of the facts that the *kishtabandi* is drawn up by the revenue officers in the Bulandshahr District without reasonable notice to the debtors and that in some cases without demanding previous instalments, a debtor is required to pay an unreasonable number of instalments all at once?

(b) If yes; why? If not, do the Government propose to institute an inquiry in this connexion?

The Hon'ble the Finance Member : (a) No.

(b) No. Inquiries already made show that in no case is a borrower being required to pay up an unreasonable number of instalments simultaneously.

*8. **Rai Bahadur Chaudhri Raghuraj Singh:** (*absent*) Have the Government ever thought of remitting substantial portion of Government loans to lighten the burden of indebtedness of the agriculturists of these provinces in the light of the view taken in connexion with the introduction and passage of the Debt Bills? If so, what do the Government propose to do? O. no. Date
*31 28-2-36

The Hon'ble the Finance Member: Yes. In 1932 Government issued orders allowing (a) complete remission of definitely irrecoverable loans, (b) partial remission where part of the debt was irrecoverable, and (c) suspension of payment with no reduction of interest, or, alternatively, punctual payment of instalments at reduced interest, in cases where loans were ascertained to be recoverable.

As a result of these orders Rs 3·22 lakhs of *tagavi* have been remitted. Government have under consideration further steps for reducing the burden of accumulated interest on outstanding *tagavi* in the Meerut Division.

PANCHAKROSI ROAD, BENARES DISTRICT

*9. **Rai Govind Chandra** (*absent*): Is the Government aware that the Panchakrosi Road in the district of Benares is of provincial importance? *1 29-2-36

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf): The road is of importance to Hindu pilgrims coming to Benares.

*10. **Rai Govind Chandra** (*absent*): Is the Government aware that people from all over India come to Benares for pilgrimage and use that road? *2 29-2-36

The Hon'ble the Minister for Local Self-Government: Yes.

*11. **Rai Govind Chandra** (*absent*): Is the Government aware that this road is in a very dilapidated condition? *3 29-2-36

The Hon'ble the Minister for Local Self-Government: Yes.

*12. **Rai Govind Chandra** (*absent*): Do the Government intend to provincialize this road? *4 29-2-36

The Hon'ble the Minister for Local Self-Government: No such proposal is under consideration as funds are not available.

IRON AND COAL IN THE DISTRICT OF NAINI TAL

*13. **Rai Govind Chandra** (*absent*): (a) Are the Government aware of the existence of iron in the district of Naini Tal? *26 29-2-36

(b) Will the Government please state why the iron-kilns were stopped in the district of Naini Tal?

(c) Does the Government intend to give facilities to the geologists to make enquiries of iron and coal in the district of Naini Tal?

The Hon'ble the Home Member: (a) Yes.

(b) On account of the failure of the enterprise.

(c) There is no objection to geological investigation.

DAROITIES COMMITTED IN THE JALAUN DISTRICT

O. no. Date
*3 2-3-36

* 14. **Rai Sahib Ram Adhin** (*absent*): Will the Government be pleased to lay on the table the number of daroities committed within the Jalaun District during the last ten years tahsilwise?

The Hon'ble the Home Member: A statement is laid on the honourable member's table.

(See Appendix A, page 262.)

DOCUMENTS REGISTERED IN THE TAHSILS OF THE JALAUN DISTRICT

*9 2-3-36

* 15. **Rai Sahib Ram Adhin** (*absent*): Will the Government be pleased to lay on the table the number of documents registered in the various tahsils of district Jalaun? What will be the effect on the Registration office after the abolition of the tahsil?

The Hon'ble the Minister for Local Self-Government: The number of documents registered in the various tahsils of the Jalaun District during the year 1935 was as follows:

Jalaun	...	...	...	...	375
Orai	...	...	...	...	396
Kalpi	...	...	...	...	163
Konch	...	...	...	...	459

The abolition of the Konch tahsil would not affect the Registration office there.

BUDGET OF THE BAREILLY DISTRICT BOARD

*14 2-3-36

* 16. **Rai Bahadur Kunwar Dhakan Lal** (*absent*): (a) Will the Government please mention the actual figures of receipts, charges and surplus given in column 2 (actuals of last completed year) passed each year by the Commissioner, Rohilkhand Division, in the revised budget schedule no. 2 of the Bareilly District Board for the years 1923-24 to 1935-36 and what amount was actually paid by the Government to the Board towards the above surplus in each year?

(b) What are the details of the above charges (giving the particulars of each item of expenditure) and to whom were they paid?

(c) Is there any difference between the amount of surplus as shown in the schedule and the one which was actually paid to the Board? If so, what is the difference in each year and why, when both are actuals of the same years?

(d) How was the amount of surplus calculated by the Accountant General while making payments to the Bareilly District Board during the years 1923-24 to 1935-36 and whether any extra percentage of expenditure was charged in addition to the amount already incurred by the Public Works Department towards the charges of the provincial ferries; if so, why and under what orders?

The Hon'ble the Minister for Local Self-Government: Information on all the points raised is not yet complete but will be furnished at a later date.

*15 2-3-36

* 17. **Rai Bahadur Kunwar Dhakan Lal** (*absent*): (a) Will the Government please state for what purpose schedule no. 2 has been prescribed in the district boards budget rules?

(b) Why is the schedule sent by the Chairman, District Board, to the Divisional Engineer, Public Works Department, every time when the budget is prepared?

(c) How is the amount against the item of surplus prescribed in the schedule arrived at?

(d) What sort of expenditure is debited under head "Charges" of the schedule against each ferry by the Public Works Department?

The Hon'ble the Minister for Local Self-Government: (a) Schedule no. 2 is designed to enable boards to make accurate calculations of their anticipated income from provincial ferry surplus receipts.

(b) For purpose of check and correction.

(c) The surplus is arrived at by subtracting the expenditure from the income when the latter exceeds the former.

(d) "Charges" include items such as purchase of ferry boats, cost of constructing landing places, approach roads and pontoon bridges and pay of *mallahs* and other establishment required for the collection of tolls, etc.

POLICE RAIDS IN UNITED PROVINCES

*13. **Rai Bahadur Sahu Jwala Saran Kothiwala** (*absent*): (a) Will the Government be pleased to state whether simultaneous police raids have been conducted recently in several districts of the United Provinces? If so, in what districts and what was the object of the raids?

O. no. Data
*16 2-3-36

(b) How many persons were arrested and what are their names?

(c) How many houses in all were raided in each of different districts and what are the names of the persons whose houses were raided?

(d) Whether the Government is launching a conspiracy case like the Meerut conspiracy case or such cases individually in each district?

The Hon'ble the Home Member: (a) Yes. In the districts of Agra, Allahabad, Benares, Cawnpore and Lucknow. The raids were made because there was reason to suspect that the persons whose houses were searched were aiding the activities of an unlawful association or were in the possession of proscribed literature.

(b) None.

(c) A statement is laid on the honourable member's table.

(See Appendix B, page 263.)

(d) As the evidence collected has not yet been examined, it is not yet possible to say what action will be taken.

TRANSFERS OF SUB-INSPECTOR MUHAMMAD YAQUB, AZAMGARH DISTRICT

*19. **Thakur Giriraj Singh** (*absent*): Is it a fact that Sub-Inspector Muhammad Yaqub had been at Mobarakpur police station for about three months, and then at Maharajgunj, and then at Ahraula all in district Azamgarh? What are these speedy transfers due to?

*18 2-3-36

The Hon'ble the Home Member: The periods during which Sub-Inspector Mohammad Yaqub has held charge of various police stations in the Azamgarh district are :

Police station	From—	To—
1. Mobarakpur ...	20th April, 1933 ...	20th July, 1934
2. Maharajganj ...	20th July, 1934 ...	6th June, 1935
3. Ahraula ..	6th January, 1935 ...	..

These transfers were all made for administrative reasons.

CASES UNDER SECTION 109, CRIMINAL PROCEDURE CODE,
IN THE AZAMGARH DISTRICT

*19 2-3-36 * 20. **Thakur Giriraj Singh** (*absent*): Is it a fact that the number of cases under section 109, Criminal Procedure Code, has gone up in the year 1935 in the Azamgarh District? If so, why?

The Hon'ble the Home Member: The answer to the first part of the question is in the negative; the second part does not arise.

NOMINATIONS TO LOCAL BOARDS

*25 2-3-36 * 21. **Rai Bahadur Thakur Hanuman Singh:** Is it a fact that the Government in the majority of cases nominated members who were candidates for Chairmanship of Municipal and District Boards or servants or relations or dependants of such candidates?

The Hon'ble the Minister for Local Self-Government: No.

Rai Bahadur Thakur Hanuman Singh: I want to know from the Hon'ble the Minister whether he has nominated any member to any district board who was a candidate for chairmanship?

The Hon'ble the President: I think the best thing would be for the honourable member to specify the district he has in view, because there are so many district boards and the Hon'ble the Minister may not remember which the honourable member means. Let him put a definite question.

Rai Bahadur Thakur Hanuman Singh: I would like to know whether his nominee to the membership of the District Board of Unao was a candidate for chairmanship and later on was elected as Chairman?

The Hon'ble the Minister for Local Self-Government: The man was nominated no doubt, but this does not mean that he was nominated with the object of seeing that he was elected chairman.

Rai Bahadur Thakur Hanuman Singh: Does the Hon'ble the Minister make nominations with a view to help one candidate or another?

The Hon'ble the Minister for Local Self-Government: This is too general a question. We do not help any particular candidate, but we

do see that nominations are made in the best interests of the board so that the administration may go on smoothly.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Did the Government know beforehand that the man who was nominated by them was a candidate for chairmanship?

The Hon'ble the Minister for Local Self-Government: No.

Rai Bahadur Thakur Hanuman Singh: Is the Hon'ble the Minister quite sure that he did not know that he was a candidate?

The Hon'ble the Minister for Local Self-Government: I have already replied that.

Rai Bahadur Thakur Hanuman Singh: Is it the policy of the Hon'ble the Minister to help a certain candidate to become chairman so that he may be under the influence of the District Officer?

The Hon'ble the Minister for Local Self-Government: Nothing of the kind. The policy is to nominate a person whose nomination will be in the interests of the Board.

MUNICIPAL BOARD ACCOUNTANT'S EXAMINATION

* 22 **Munshi Gajadhar Prasad** (*absent*): Will the Government be pleased to state whether the Municipal Board Accountant's Examination is open only to the Municipal employees who are in permanent service of a Board or whether temporary and officiating servants are also eligible to sit at the examination? If it is meant only for those holding a substantive appointment, will the Government consider the advisability of amending the rule? *29 2-3-36

The Hon'ble the Minister for Local Self-Government: The examination is open to all employees of municipal boards, to which the rules governing the examination apply, who are recommended by the Chairman for admission to the examination and have passed the High School or equivalent examination.

*23. **Munshi Gajadhar Prasad** (*absent*): Will the Government be pleased to state whether the aforesaid examination is open to the employees of only such boards to which the rules on the subject have been made applicable or whether servants of all the municipal boards in the province can appear at the examination? *30 2-3-36

The Hon'ble the Minister for Local Self-Government: The examination is open only to the employees of the 11 boards covered by the rules at present. The question of throwing the examination open to other municipal boards is under the consideration of the Government.

*24. **Munshi Gajadhar Prasad** (*absent*): Will the Government be pleased to state whether the persons, who have not passed the aforesaid examination but have passed departmental examinations of the Accountant-General's office or of the Examiner, Local Fund Accounts, can be appointed as municipal accountants under rule 7 of the Rules? *31 2-3-36

The Hon'ble the Minister for Local Self-Government: No.

RENEWAL OF GUN LICENCE OF UJAGAR SINGH OF VILLAGE DHANPURA, HAMIRPUR DISTRICT

*25. **Pandit Prem Ballabh Belwal:** (a) Has the attention of Government been drawn to the order of the District Magistrate of *1 13-3-36

Hamirpur on 17th December, 1935, on the application of Ujagar Singh of village Dhanpura, police station Benwan, for renewal of his gun licence?

(b) Is it a fact that the District Magistrate wrote in his order: "The applicant helped the Congress in the recent district board election and is certainly disloyal. I therefore cancel his licence"?

(c) Do Government approve of this action of the District Magistrate?

The Hon'ble the Home Member: (a) Government's attention was drawn to the District Magistrate's order when this question was tabled.

(b) Yes.

(c) Government do not consider that the order of the District Magistrate, who is now on leave preparatory to retirement, can be justified as it stands. I wish to add that the applicant had a right of appeal to the Commissioner.

Pandit Prem Ballabh Belwal: Will the Government be pleased to order the District Magistrate to restore his licence in view of the reply of the Government that the licence had been cancelled on no proper ground?

The Hon'ble the Home Member: Government do not consider it necessary to take any action. It is within the power of the person concerned to make an application to the new District Magistrate.

THE BUDGET, 1936-37: DISCUSSION OF DEMANDS FOR GRANTS—(continued)

GRANT NO. 14. 22—GENERAL ADMINISTRATION

The Hon'ble the Finance Member: Mr. President, I rise to communicate to the Council the recommendation of His Excellency the Governor that under head of account 22—General Administration, a sum of Rs.1,19,86,901 be granted and I move that the said sum be voted.

I do not propose, Sir, to make a long speech of introduction in moving that this sum be granted. The details of which the whole grant is made up are well known to honourable members of the Council and there is very little change in them from year to year. As is well known there is, in addition to the voted item, a considerable non-voted sum included in the total cost of the Department which amounts in the budget year to Rs.1,45,91,000. This, the total cost of the department, shows an increase of about Rs.6,37,000 over the grant for the current year. This increase is practically all due to the large temporary provision for the election charges of the first election. The amount provided for that purpose is Rs.6,96,000, practically 7 lakhs in all. This is larger than the total increase appearing in the budgeted amount over and above that required for the current year's working. There are a certain number of other variations, with which honourable members will be familiar; but they largely cancel each other out and I do not think it is necessary for me to go into them as I expect a good number of them will be dealt with under the cuts which are now to be considered. I therefore, Sir, will say nothing more than commend to the Council the granting of this large sum of money.

Thakur Keshava Chandra Singh: Sir, I beg to move that under sub-head Head of Province, etc.—H—Ministers—1. Pay of Ministers, a reduction of Re.1 be made.

Sir, the purpose of moving this cut is to bring to the notice of this honourable House certain actions of the Government in the department of Local Self-Government regarding the preparation of electoral rolls in the Banda District. The matter no doubt is personal, but as it concerns the representation of the joint Hindu families in these provinces in the electoral rolls of the district board, I have thought fit to bring the matter before this honourable House. The facts of the case would become clear by certain questions which Lala Shyam Lal at my suggestion put in this House. These questions were handed over to the Secretary of the Council on the 4th November, 1935, and were tabled for reply on the 22nd November, 1935, but were answered by the Hon'ble Minister not on the 22nd November, 1935 but as late as the 27th of February, 1936. The question as I said would give all the facts and so I would read the questions and the answers which were given by the Hon'ble Minister.

Question no. 16—Is the Government aware that Thakur Keshava Chandra Singh, M L.C., has been a member of the District Board of Banda for four successive terms?

Answer—Yes, with the exception of 8½ months during which period the Board remained suspended.

Question no. 17—Is the Government aware that his name used to be included in the previous electoral rolls of the District Board of Banda as a nominee of the joint Hindu family in spite of the fact that his father's name, and not his, was entered in the khewat as owner of the landed property belonging to the joint Hindu family?

Answer—There is no information, as the relevant papers have been weeded out.

Now, Sir, before reading out the other questions I may inform this honourable House that some information was available and as far as I know it was supplied by the new District Magistrate. When the questions were sent to him for collecting information he wrote back that my name found a place in the supplementary electoral roll prepared by the returning officer and not in the original electoral roll prepared by the District Magistrate and that this name appears in the supplementary lists of all the previous electoral rolls. That by itself showed that my name came in not originally, but afterwards as a representative of the joint Hindu family.

Question no. 18—Is the Government aware that this time the Returning Officer of the Tindwari constituency has on 18th October, 1935, rejected the nomination of Thakur Keshava Chandra Singh for being entered in the electoral roll to represent the joint Hindu family simply on the ground that his name is not entered in the khewat?

Answer—Yes.

Question no. 19—Is the Government aware that the District Magistrate of Banda has refused to interfere with the order of the Returning Officer on the same ground?

Answer—Yes.

[Thakur Keshava Chandra Singh]

Question no. 20 was replied in two parts; so I shall read them separately.

First part—Is the Government aware that rule 11 of the Election Rules framed under section 14 of the District Boards Act places no such limitation on the powers and rights of joint Hindu families?

Answer—The answer to the first part of the question is in the affirmative.

The second part was:

“Is the Government aware that joint Hindu families up till now have all over the province been nominating one of their members irrespective of the fact as to whether the nominees were recorded in the khewat or not?”

The answer was:

“No information is available about the latter part.”

Question no. 21—Do the Government intend to instruct the District Magistrate, under rule 74 of the Election Rules to include the names of Keshava Chandra Singh Chaudhri and other persons whose names may have been refused to be entered on the same ground in the electoral roll of the Banda District Board?

Answer—No, as the elections are now over.

At the outset I may inform this honourable House that so far as I have been able to ascertain the practice in all the districts is the same as it has prevailed hitherto in the Banda District and there is nothing to be surprised at this because the rules are so clear that they do not admit of any other interpretation. Any lawyer worth the name would within five minutes tell you that the rules do not require that the name of the nominee of a joint Hindu family should necessarily be entered in the papers before he can be allowed to represent a joint Hindu family.

There is something more, Sir, which happened in the meantime. After these questions were handed over to the Secretary I sent a petition to Government some time in the second week of November asking the Government to exercise their powers under rule 74. Not only that, I also interviewed the Hon'ble Minister and mentioned all the facts to him. I told him that if it was not possible for my name to come in before the general elections were held my petition might be decided before the election of the Chairman of the district board came off and the Hon'ble the Minister informed me that he would consult the Legal Remembrancer on the point. I then sent a reminder informing him that the election of Chairman would take place on the 13th January and that my petition might be decided soon, so that if it was decided in my favour I might be able to stand as a candidate for the chairmanship of the district board. I received a reply some time in the fourth week of December saying that Government see no reason to interfere with the orders of the local officials. This honourable House will at once realize that there is a great contradiction between the reply which I received and the answer to questions nos. 20 and 21 given by the Hon'ble Minister before this honourable House. Here the Hon'ble Minister said that

it was not necessary that the name of the nominee of a joint Hindu family should be entered in the papers before he could represent the family but that he was not prepared to interfere in this case as the elections were now over. But the orders on my petition were passed before the election of the Chairman of the district board had taken place and even then the Government had refused to interfere with the order of the local officials. Not only that but from the supplementary questions that were put on the 27th of February, 1936, it appears that the Hon'ble Minister had not yet decided whether members of the joint Hindu family have a right to become nominees of the joint Hindu family, irrespective of the fact whether their names find a place in the khewat or not. In order to show that the Hon'ble Minister could not make up his mind as late as the 27th February, 1936, will be clear from these supplementary questions. The supplementary question which was put by me runs as follows:

"With regard to question no. 20 the answer of the Government is in the affirmative. Will Government be pleased to issue a circular order now that in the case of joint Hindu families the nominees' names need not be entered in the khewat."

The reply is: "We are considering this question."

After these questions have been pending for more than three months and after the Hon'ble Minister had passed orders on my petition I do not think it lay in his mouth to say that "we are considering the question." As I said at the very beginning any person by reading the rules will come, to no other conclusion but this that a nominee need not be a recorded co-sharer.

The third question which I put was:

"May I know if the Government has answered this question, without considering it," and the reply was "This is a general question and will have to be carefully considered before instructions are issued. We have already said that we are inclined to agree with the honourable member on this question." Then Mr. Brijnandan Lal put the question: "Does the Hon'ble Minister realize that his answers are evasive?" The answer was: "It is for my friend to decide." Question no. 5: "May I bring to the notice of the Hon'ble Minister that question no. 21 was down for the 22nd November, 1935, till which time elections had not been held. The election took place some time in the second week of December and the election of the chairmen, district boards, took place some time in the second week of January. If these questions had been answered in time, then the Government would not have given the answer which it has given." Reply: "We did not get the information in time. This question required very serious consideration. It took a good deal of time and it was too late to take any action."

These supplementary questions themselves show that the Hon'ble Minister had not made up his mind one way or the other by that time. In my opinion it was a very important matter and it was applicable to the whole of the province. In this case the local officials had misread the rule, and I think the Hon'ble Minister ought to have interfered for the sake of the representation of joint Hindu families in these provinces. Now I should like to put certain questions to the Hon'ble Minister regarding this matter.

[Thakur Keshava Chandra Singh]

I would like to know whether the opinion of the Legal Remembrancer was taken on the legal point arising out of my petition. If so, when and what opinion did he give? Secondly, on what date was my petition received by Government; was it accompanied by copies of the orders of the Returning Officer and the District Magistrate? In view of the fact that the election of Chairman, district board, had not taken place, why was it too late to order the entry of my name in the electoral roll on the date on which my petition was dismissed? When was the information regarding the starred questions in the name of Lala Shyam Lal obtained from the district? Then, Sir, in view of the fact that vacancies in the membership or chairmanship might occur in future during this term, is the Hon'ble Minister prepared even now to order the entry of my name in the electoral roll? Has the Hon'ble Minister made up his mind even at this late stage to issue a circular order that nominees of joint Hindu families need not be recorded co-sharers? With these few remarks I would recommend my motion to the acceptance of this House.

The Hon'ble the Minister for Local Self-Government : Sir, I am rising early to make the whole position clear. From the questions and answers the House must be in possession of all the facts. I have already agreed in my reply to his question that the view taken by the honourable member is correct. There has been no misinterpretation of law, but it is clear that the Government cannot possibly interfere. The aid of rule 74 of the Election Rules cannot be invoked, because that rule is meant only for an irregularity in procedure. If a court comes to a definite decision or passes a definite order, however mistaken and wrong the interpretation may be, it cannot be upset by Government. Government can only interfere under rule 74 if there is an irregularity. The order of the District Magistrate is absolutely final. Rule 74 does not apply to this case at all. I am afraid the answer to question no. 20 was slightly misleading. That was the additional reason that was given by me that the whole elections were over and no useful purpose would be served. As a matter of fact I had absolutely no power to interfere at that stage or now.

Now I will turn to the various questions that have been put by my friend. The opinion of the Legal Remembrancer was invited on 31st January, 1936. Then my friend puts the question: Why was there a delay? We have done our level best to dispose it of as early as possible by having referred it to the Legal Remembrancer. The question of delay does not arise at all. Even if the decision had been received earlier, I could not have done anything for my friend. I could not have passed an order that his name should be brought on to the electoral roll. It is impossible. We cannot do it. The next question is: Is the Government prepared to order that his name should be entered in the electoral roll now? It is obvious that I could not do it at any stage and I cannot do it now. The only question is whether I am willing to send a circular to the local authorities. I have already said in the answer (2) that the Government is considering this question and I think at an early date a circular will be sent to all the Commissioners that this fact must be clearly borne in mind, viz. that it is not absolutely necessary in the case of a joint Hindu family that the name should actually be recorded in the khewat.

I hope in view of what I have said, my friend will see his way to withdraw his motion.

Thakur Keshava Chandra Singh: I am glad that the controversy has now passed to the interpretation of rule 74 as it stands. I am not satisfied that the Local Government had no power, but supposing that the Local Government had no power, my submission is that the Local Government ought to have a power like this in cases when people deliberately shut their eyes to the working of the rules themselves. I shall read rule 74; it runs thus :

“Notwithstanding anything in these rules, in case of any irregularity in the preparation of electoral rolls the Local Government may make such order consistent with the United Provinces District Boards Act, 1922, as may appear to it to be just and proper.”

I have left out the irrelevant words. Here mine was not the solitary case. The Returning Officer and the District Magistrate concerned had denied representation to all the joint Hindu families in the district. There were four cases before this Returning Officer and in all these four cases the joint Hindu families were denied representation on the ground that the names did not appear in the khewat. Now it must be clear to this honourable House that when joint Hindu families nominate a certain junior person to be entered in the electoral roll, they do it for the purpose that he might seek election either as a member of the district board or as chairman of the district board. Otherwise they will not take the trouble of nominating a junior member of the family because it is quite the same thing whether a person whose name is entered in the khewat votes for certain other candidate or any other person votes. This Returning Officer was returning officer of five constituencies in the district board and the result was that as many as four constituencies went uncontested because the decision was given at a late stage and nobody else could stand. I should like to point out that this was a clear misreading of the rules and it was a pure illegality. I do think that illegality does come within the word “irregularity.” I rather think that illegality is something much more than irregularity. I would read rule 11 which empowers joint Hindu families to make their nominations :

“When property is held by the members of a joint Hindu family, the family shall be adopted as a unit for deciding whether qualification exists as set forth in section 8 of the Act, and if it does exist, the person qualified shall in the case of a joint Hindu family be the member nominated in that behalf by the majority of the family.”

Secondly, sub-section (3) runs as follows : “A person may be qualified either in his personal capacity or in the capacity of a representative of the joint family, but not in both capacities.”

Now the rule does provide that a person cannot have both capacities. I may inform the House that in the cases which came up before this Returning Officer the persons whose names were entered in the khewat came in their individual capacity, and, therefore, they could not represent the family. The rule says that a person cannot represent in both

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capacities, but in spite of this the District Magistrate and Returning Officer decided that it is the head of the family who must represent the family, because his name is entered in the khewat, though the rule itself points out quite the reverse. Now, Sir, I would like to put a question to the Hon'ble Minister. Supposing a Returning Officer or a District Magistrate deliberately went against the rules, then does the Minister mean that Government has no right to interfere in the matter, and that when the mischief has been done the Government can only send out a circular letter? Supposing at the next election also it is found that the District Magistrate has not obeyed that Government order and acted otherwise, then what is the remedy of the aggrieved person? If he approaches the Government, it will say, "We have no power, but when the thing is all over we would issue a circular letter." In this way I submit that the Government would be brought into contempt. Under rule 74 I am of opinion that the Local Government enjoy very wide powers, and I do not believe that they have no right to interfere in such matters. But if the Legal Remembrancer is of the view that the wording of the rule does not cover a case under complaint, I would request the Government to amend the rules in order that they may have power to interfere in such matters in future. The question is one of rule and not of law. The law is quite clear on the point. If the rule is defective, Government can change it. Therefore, Sir, before I decide whether I should withdraw my motion or press it to a division, I would like to hear the Hon'ble Minister on the point raised by me, namely what his attitude would be if the second circular letter also was disregarded by the District Magistrate again?

The Hon'ble Minister for Local Self-Government: My honourable friend has dealt with this point at length and seems to be of the opinion that Government has the power to interfere in this matter. I may tell him that we have consulted the Legal Remembrancer, and we are definitely of opinion that under rule 74 we can only cure irregularities or pass orders to remove irregularities of procedure. As regards the definite orders of the District Magistrate or the Returning Officer with regard to the interpretation of a particular law, it is a clear finding of an authority which we cannot upset. Government are not in a position to act as an appellate court, and consider the legality or illegality of a particular decision of the District Magistrate whose order in the matter is final. Had there been any irregularity in the procedure, the Government would have had power under section 74 to interfere. My friend will recognize that this is a very complicated matter. I have already admitted that there was a misinterpretation of the rule. I have also pointed out that it is for a court to interpret the law one way or the other. This Government cannot act as an appellate court . . .

Thakur Keshava Chandra Singh: What about the future?

The Hon'ble the Minister for Local Self-Government: As regards the future, when there is a definite order of authority with regard to the interpretation of the law or with regard to a certain fact, it is not for the Government to act as an appellate court. The rule is there; the order of the District Magistrate is final. From the order of the Returning Officer an appeal lies to the District Magistrate. That is the final appellate court and the finding of that court has got to be accepted . . .

Thakur Keshava Chandra Singh : Will the Government change the rule ?

The Hon'ble the Minister for Local Self-Government : I am afraid we shall have to employ special staff and various other difficulties will arise. A large number of cases will then come up to Government, and obviously it is not desirable from the administrative point of view. When it is definitely laid down under the rule that the final appellate authority is the District Magistrate, I do not think Government should interfere in cases like that. . . .

Khan Bahadur Maulvi Fasih-ud-din : Will the Government consider the advisability of changing the rule ?

The Hon'ble the Minister for Local Self-Government : I have already pointed out that it would involve a good deal of labour in the Secretariat—we shall have to have a regular staff and will have to spend a great amount of money and time. Therefore it will be undesirable from the administrative point of view. Obviously the spirit of the rule is that if there is an irregularity in the procedure we must intervene and set matters right. But if there is a definite finding of the final court, there we could not interfere because it is not desirable that we should be an appellate court.

As regards the final view of the Government, I have already informed the honourable member of the opinion of the Legal Remembrancer. I have already told my friend that I am going to issue a circular to all the Commissioners informing them that the interpretation put by the Returning Officer and the District Magistrate was wrong and that a member of a joint Hindu family whose name does not appear in the khewat is as much entitled to be included in the electoral roll as the man whose name is in the khewat, if he is nominated by the members of the joint family. That is the only thing which I can possibly do. As the law exists it is a physical impossibility for me to interfere and order that his name should be brought on the electoral roll.

Kunwar Jagbhan Singh : How is the Government going to compensate my honourable friend for the loss which he has already incurred ?

The Hon'ble the Minister for Local Self-Government : That is his misfortune ; he has been a victim of rules and laws.

Rai Sahib Rai Rajeshwari Prasad : May I, Sir, with your permission, put a question ? Will Government consider the advisability of altering the rule so as to embody what is now to be contained in the circular of the Government, i.e. with a view to make the rule clearer on the point of the name of the nominated member being contained or not in the khewat ? The rule itself is to be amended not with a view to give more power to Government, but with a view to make the position clearer.

The Hon'ble the Minister for Local Self-Government : I do not see any real necessity for that, because once a definite circular goes to all Commissioners saying that it is necessary that if the name of a member of a joint Hindu family is in the khewat, any man belonging to that joint family should be accepted to be a man whose name should be brought on the electoral roll if he is nominated by the family.

Rai Sahib Rai Rajeshwari Prasad : Is the Hon'ble Minister quite sure that after this circular letter the different officials of the district will not interpret the rule in any other way ?

The Hon'ble the Minister for Local Self-Government : They cannot do that when a definite order is passed, which will be communicated to all the District Magistrates.

The motion was, by leave, withdrawn.

***Mr. C. Y. Chintamani :** Mr. President, I beg to move that under sub-head Head of Province, etc., Hon'ble Ministers, a reduction of Rs.10 be made.

I make this motion, Sir, in order to draw attention to the manner in which the Hon'ble the Minister for Local Self-Government has exercised his right of making nominations to district and municipal boards. The matter has been the subject of a great deal of public attention ever since those nominations were made. It has formed a subject of questions in this House; and only during the last few days the Hon'ble Minister was honoured by an avalanche of supplementary questions which he answered with his usual ability, lucidity and consistency. It will be my duty in the next few minutes to draw attention to some of these points. In the answer to question no. 1 put by Babu Ram Bahadur Saksena at the Council meeting of 16th March, the Hon'ble Minister gave figures of the number of Hindu, Muslim and Christian women and representatives of special interests whom he nominated to municipal boards. Out of a total of 75 representatives of women, only 25 were Hindus as against 27 Muslims and so many as 23 Christians. The disparity between one set of figures and another among these three will be best appreciated by those who pay deference to the ratio of the population of the respective communities in the total population of the province. Again, among representatives of special interests there were 14 Hindus, 41 Muslims and 14 Christians. Taking the two totals, out of 144 nominations which he made, there were 39 Hindus who form 85 per cent. of the population, 68 Muslims and 37 Christians. This is one point. On this point I may as well dispose of district boards also. There, out of an aggregate of 95 nominations made by the Hon'ble Minister of representatives of women and of special interests, the figures of the respective communities were 48, 25 and 22. My first point is that he has not paid due regard to the communal proportions of these provinces in determining how many of each community he would nominate in each category. My second point is that out of 75 women nominated to municipal boards, so many as 17 were observers of pardah, while out of 47 nominated to district boards 3 observed pardah. In other words, out of 122 women nominated by him to district and municipal boards, no fewer than 20 are persons handicapped in the discharge of their duties as members by reason of their observance of pardah. The Hon'ble Minister would not have found it extremely difficult to avoid the nomination of women labouring under that disability for there were before him recommendations made by District Officers of women who did not observe pardah, in some cases of women better educated than those whom he selected, but recommendations which he disregarded for reasons best known to himself.

In clause (e) of his answer the Hon'ble Minister said that he had not invariably accepted the recommendations of District Officers, on the ground that legally he was not bound by those recommendations. Those recommendations were merely intended for the consideration of Government and it rested with the Government to decide whether or not to accept them—

**Speech not revised by the honourable member.*

legal position very correctly stated. But in clause (e) he added "On the basis of representations to Government, including recommendations made by some of the members of this House." That is to say, he disregarded the recommendations of District Officers on the basis of representations made to Government—not of his own accord, but because he received representations—and those representations included some made by some of the members of this House. He did not name who those members of this House were and for what reasons they made those representations. Doubtless the Hon'ble Minister paid the same scrupulous regard to the delicate susceptibilities of honourable non-official members, who have the weakness of making private representations to Members of the Government, as the Hon'ble the Finance Member showed the other day when he declined to read the names of the famous 26, who had addressed that communication to him begging him to impose new taxes.

Shaikh Muhammad Habib-ullah : Demanding new taxes, not begging.

Mr. C. Y. Chintamani : Demanding, as if beggars could be choosers !

Now, Sir, I will come to the answers given by the Hon'ble Minister to supplementary questions, arising out of these printed answers, on the very same day. I have taken care not to rely upon my memory, but to obtain from the Council Office—thanks to the courtesy of the Secretary—a copy of the official transcript of the questions and answers.

Babu Ram Bahadur Saksena asked "What exactly is the meaning of the Government when the Hon'ble Minister says that they were better nominees ?

The Hon'ble the Minister for Local Self-Government : "Because they were regarded as more suitable, having regard to the interests of the Boards." Nothing could be better !

Question—"What interests of the boards does the Hon'ble Minister mean ?"

Answer—"Smooth and efficient work of the boards." Excellent !

Another answer. The Hon'ble the Minister for Local Self-Government : "The representations were made by the public and various bodies and also by the honourable members of this House, and other important people, interested in the matter."

I call upon him to state, when he gets up to reply to me, what were the public representations made to him. What are the various bodies which made various representations to him ? Who are the other important people interested in the matter who made representations to him, and what exactly he meant by "interested in the matter" ? Interested from whose point of view, and from what point of view ? I will not ask him to name the honourable members of this House who made those representations for the reasons that I have already stated.

Then Babu Ram Bahadur Saksena asked "Did the Hon'ble Minister take care to inquire that those people who made representations to the Government and those honourable members of this House who made similar representations to Government, were not interested in their nominees ?" The Hon'ble the Minister for Local Self-Government : "I had no reason to think like that. No such

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question arises out of that." He said "I had no reason to think like that." But in answer to a further supplementary question just a few seconds later, the Hon'ble Minister said: "They were interested in many cases, I am sure." On the earlier page the answer was "I had no reason to think like that; they were interested", and on the next page he said "They were interested in many cases, I am sure." Here is one more example, one of the latest examples, but I am quite certain very far from being the last example of the Hon'ble Minister's new English which supersedes the King's English where "yes" means "no" and "no" can mean "yes."

The next question: "I want to know definitely whether the Government did or did not make inquiries in the matter, that is, whether the authors of the representation were interested in the persons whom they recommended? Answer: "Inquiries were made in a very large number of cases where necessary." It was in spite of this fact that inquiries were made that to the preceding question the Hon'ble Minister said he had "no reason to think that they were interested", and to the answer to the immediately succeeding question he said he had "no doubt they were interested in a large number of cases." These inquiries which were made by him must have brought very wonderful answers for him to sandwich those answers between a "yes" and a "no", or a "no" and a "yes".

Passing on, the Hon'ble Minister said: "It is not necessary that Government should accept the recommendations made by district officers. They do so only when they find that it will be in the best interests of the administration and general efficiency of the boards. The Government only accept the recommendations of the district officers when they find . . . , etc." That is to say, ordinarily the Government do not think that district officers in making recommendations are guided by a *bona fide* consideration of the interest of the boards and the public interest. Where in exceptional cases a district magistrate may be found good enough and honest enough to bear in mind the public interest, then this Hon'ble Minister, the quintessence of selflessness and public spirit will condescend to pay regard to those recommendations.

Question: "Is the Government aware that many District Magistrates" (this question was put by a friendly member, Khan Bahadur Maulvi Fasih-ud-din) "do not give a sufficient chance to the fit candidates to represent their cases before they submit their nominations." I hope, Sir, that Khan Bahadur Maulvi Fasih-ud-din did not draw upon his experience in a past incarnation as District Officer when he said that "District Magistrates do not pay sufficient attention to these factors." But here, contradicting his own previous answer, the Hon'ble the Minister for Local Self-Government said: "I am not aware." I am not aware that district magistrates were in that bad habit. But he would not go further than that in paying compliments to district officers. Next, Khan Bahadur Maulvi Fasih-ud-din asked: "Is the Government aware of the fact that some of the district magistrates are interested in the elections of their own friends and so they make nominations on that basis." The Hon'ble Minister: "Generally they must be interested." First, district officers do not pay sufficient regard to the public interests and to the interests of the board. Next, he was not aware that district officers acted

without giving sufficient chance to fit candidates. Thirdly, he was certain that the district officers must be interested in their nominees; generally they must be interested but I cannot say that they have any particular interest or special predilection for anybody. No more than that he himself has. Then Khan Bahadur Maulvi Fasih-ud-din asked: "Does the Government follow the policy of not changing the majority into a minority in making these nominations?" The Hon'ble Minister: "We very carefully bear in mind that the strength of the respective communities is not disturbed in any way." But what did he say later on on the same point? He said in reply to Thakur Balwant Singh: "The nominations are not made on a communal basis at all so far as special interests are concerned and so far as the nominations of women are concerned they are made on the consideration of their being suitable in the best interests of the board." That is to say, at page 9 of these answers he says: "We very carefully bear in mind that the strength of the respective communities is not disturbed in any way." But when we come to page 13 we find: "We do not consider any communal point of view at all. These nominations are made for special purposes and it does not in the least matter and it is not relevant at all how the communal proportions might be affected by the nominations that we may make." Of course these two answers are wholly inconsistent with each other in the euphemistic sense of that term "Is the Government aware" Maulvi Fasih-ud-din asked, "of the fact that some of the district officers have made recommendations in such a way as to turn the majority into a minority." The Hon'ble Minister: "No" but this is from page 10; I have already cited from page 13 where this statement is contradicted. Thakur Muneshwar Bakhsh Singh asked: "Has the majority been converted into a minority by these nominations in some municipalities?" the Hon'ble Minister: "So far as I can remember, in none." Thakur Muneshwar Bakhsh Singh: "What about the Shahabad Municipality?" The answer: "There it has not been converted into a minority at all. Just at present I cannot find a suitable Hindu lady; as soon as I find one I shall nominate her." All success to his genuine efforts. Thakur Muneshwar Bakhsh Singh: "Was any Hindu lady recommended by the district magistrate?" The Hon'ble Minister: "Yes, but she was not regarded suitable by me" I suppose he is acquainted with her and he has inquired that she would not be suitable for the particular job. Thakur Muneshwar Bakhsh Singh: "On what ground?" The Hon'ble Minister: "I cannot very definitely recollect, but I think on the score of health and various other reasons." I would like to know whether the Director of Public Health has been *ex officio* asked to advise him on the health of that lady; why the District Magistrate was so callous as to recommend her for the job for which she was not fit on physical grounds? The reply was that if the honourable member will give notice of the question he shall be glad to give him an answer. Then Babu Ram Bahadur Saksena asked, "Is it a fact that in many municipalities pardah ladies were nominated as lady members?" The Hon'ble Minister: "I should like to make this point clear. It has been felt and pressed on me by the honourable members that a lady who attends a meeting in *burqa* is not strictly in pardah for the purpose of the administration of the board," a question which may be put in the *viva voce* examination for the Indian Civil Service and Provincial Civil Service candidates when is a pardah a pardah? For what purposes should a lady be

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respected as observing pardah if she puts on a *burqa*. Whether a lady is to be respected as a reformer if she puts on a *burqa*. Babu Ram Bahadur Saksena: "Is it a fact that ladies who do not observe pardah were available and yet in those places ladies who observe pardah were nominated? Why is it so?" The Hon'ble Minister: "Because they were regarded as more suitable than those who do not observe pardah." One of these days it may be found by some future Governor when lady Ministers will come into fashion that ladies who observe pardah may on that ground be found suitable for the office of the Minister for Local Self-Government than the enlightened Nawabs who have received their education in England on the consideration that there is a chance of their making fewer mistakes and making themselves a little less ridiculous in public than the other Ministers do. I asked: "Is it a fact that to a few boards public women were nominated?" The Hon'ble Minister: "No. As far as I am aware."

I should like to know the whole story of the resignation of one woman nominated by him. I should like to know whether it is a fact that certain other members of the board declined to sit as members of the board if this woman were there and whether, therefore, she was advised or ordered to resign the nominated seat. In reply to another question whether a person convicted of a serious offence and sentenced to a long term of imprisonment has been nominated by him in preference to others recommended by the district officer the Hon'ble Minister replied: "Probably there was one case long ago, but so much time has elapsed that the disability has disappeared." Babu Ram Bahadur Saksena: "Is it a fact that persons who had rendered themselves ineligible for election on account of default in payment of taxes and whose names were removed from the electoral roll were nominated by the Hon'ble Minister." Answer "There is no prohibition to their nomination. The law is that anybody who is suitable can be nominated." A person may not be on the electoral roll and whose name may have been removed from the electoral roll for default in payment of rates but he may be considered by the Hon'ble Minister to be the most suitable for nomination. Babu Ram Bahadur Saksena "But there is some such thing as propriety." The Hon'ble the President "We are not arguing here the question of propriety." But, Sir, the Hon'ble Minister would not allow you to help him. God helps those who help themselves. Presidents in their generosity try to help those who cannot help themselves, but this would not help the Minister and so in spite of what you suggested from the Chair the Hon'ble Minister hastened to give an answer and said and it is the greatest truth which he has uttered in his life "There is no question of propriety" I asked whether it was a fact that certain district officers protested to Government against some of the nominations made by the Hon'ble Minister. The Hon'ble Minister said "I cannot very well recollect." Probably the Hon'ble the Finance Member, if he were less partial to his colleague and more candid to the House, would be able to come forward and quote from the fortnightly communications of District Officers and Commissioners their candid opinion about the nominations made by the Hon'ble Minister.

Next, Sir, Mr. Brijnandan Lal asked—"I want to know why the nominated lady member of the Mainpuri District Board resigned and why?"

"The Hon'ble Minister—"She resigned because she felt she should resign." She had accepted the nomination because she felt that

she should accept the nomination and she resigned because she felt that she should resign.

Mr. Brijnandan Lal—"Did she resign after the notice of the question was given by Mr. Saksena asking for the qualifications of the nominated lady members?"

The Hon'ble Minister—"I cannot say; she might have."

Mr. Brijnandan Lal—"Will the Government inquire?"

The Hon'ble Minister—"Where is the point in inquiring about it now?"

Mr. Brijnandan Lal—"What is the profession of this lady member who has resigned?"

"The Hon'ble the President - Let bygones be bygones."

Then, Sir, Babu Ram Bahadur Saksena asked—"Is it a fact that never before in the history of the reformed council as many as 51 recommendations from District Magistrates have been overruled?"

The Hon'ble the Minister for Local Self-Government—"I am not aware of that."

I invite the attention of the entire Council and of every member of the Council to what follows. The Minister said—"There is no question of over-ruling, but of patronage."

First of all there is no question of propriety; secondly it is all a question of patronage. Sir, I give credit, the fullest credit to the Hon'ble the Minister for Local Self-Government for having subordinated the considerations of discretion and decency and propriety to the far superior, indeed the supreme, consideration of veracity, and for having told the Council notwithstanding the fact that this would have stripped him of the last shred of reputation, that he made this open, this unabashed, this most candid confession to the Council that there was no question of propriety and that it was all a question of patronage. I hope every honourable member will read, mark and inwardly digest these two statements of the Hon'ble Minister. Negatively, there is no question of propriety; affirmatively, it is all a question of patronage in deciding whether they will vote for propriety or for patronage when this question comes to be put to the House.

Babu Ram Bahadur Saksena—"Is it a fact that the necessity of discretion in matters of nomination has arisen this year only because the elections of chairmen of different district boards were to take place?"

Taking the words "necessity of discretion" in the question, the Hon'ble the President came to the rescue of the Hon'ble Minister and said "Necessity knows no law", and the Hon'ble Minister himself, if he had the capacity of the Hon'ble the President, could have said nothing better. Necessity knows no law. It is a question of patronage; therefore, necessity knows no law.

Mr. Brijnandan Lal—"The Hon'ble Minister says that some of the nominations were made on the recommendations of honourable members of this House. Which members?"

The Hon'ble the President: "That will be betraying confidence."
The Hon'ble Minister did not reply.

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Mr. Brijnandan Lal—"Is the Hon'ble Minister aware that he has brought the Government into contempt by these nominations?"

I hope the Hon'ble the Finance Member and his other colleagues will hear this—

Mr. Brijnandan Lal asked—"Is the Hon'ble Minister aware that he has brought the Government into contempt by these nominations?"

An honourable member—"Can such a question be put?"

"The Hon'ble the President: "We are not concerned with contempt here at all."

True, because it is not the Allahabad High Court. I said before on the floor of the House, and I said outside and I will repeat it here, that it is a fatal defect in the criminal law of the country that it includes no provision to prevent members of Government from bringing the Government into contempt. If an outsider utters even a mild and inoffensive word, which might not be one of endearing affection towards the Government it is conceivable that certain District Magistrates may say that it amounts to contempt and disaffection and the Government may start proceedings against the person. This Home Member may not; but another Home Member might; and when there is prosecution of an editor or a speaker under section 124A, Indian Penal Code, before a magistrate conviction is the rule and acquittal, if there be any, must be a rare exception. I do hope that sooner or later, sooner than later, the Government of India will have the good sense to insert a provision in the Indian Penal Code supplementary to provision in section 124A to make it a penal offence for any member of Government to bring that Government into contempt. That will be a salutary lesson to the Ministers who always think in terms of patronage but never in terms of propriety.

These answers, Sir, were followed by these two very elaborate statements laid on the table of the honourable member, but as I have already recited the most important part of these statements I need not detain the House over them.

On March 18 there were more questions and answers. Rai Sahib Babu Kamta Nath Saxena referred to an additional seat created in the Orai municipal board and asked whether the District Magistrate of Jalaun or the Commissioner of Jhansi recommended the creation of such an additional seat and if not on what facts the Hon'ble Minister proceeded in concluding that the representation of some special interests was necessary in the said board.

The Minister replied: "The Commissioner and District Magistrate were consulted on the proposal to increase the total strength of the board which involved the addition of a seat to be filled by nomination."

So one thing is clear: the proposal was not initiated either by the Collector or the Commissioner; it was initiated here at the headquarters. The Commissioner and the Collector were only consulted, and the Minister took care not to tell us what was the answer given by them in reply to such consultation.

Q.—"Is the Hon'ble the Minister for Local Self-Government aware of the fact that the member nominated for this seat is the father of an elected member of the board?"

A.—“The fact has recently come to my notice,” i.e. after the nomination was made.

Q.—“Is it a fact that in the matter of nomination of this member the recommendations of the District Magistrate of Jalaun and the Commissioner of Jhansi were disregarded? If so, what were the reasons for rejecting these recommendations?”

A.—“Because the person nominated who was recommended to Government in a public memorial from the citizens of Orai, was considered more suitable.”

I should like to know who were the signatories of that public memorial, and since when the Minister has learnt to regard public memorials from citizens more than the opinions of District Magistrates and Commissioners, and whether the fact that the nominated person had already his son on the board weighed with the Minister in thinking that he was the most suitable person?

Then with regard to the nomination of a lady member of the Orai municipal board, the Minister said that the present nominated lady member is a pardahnaashin lady and that she attended the meetings in *burga* and that Government have no information as to the details of the arrangements which were made for her to vote.

Next, Sir, these questions and answers are more important :

“Is it a fact that the Commissioner of Jhansi had recommended the nomination of a graduate lady for the seat? If so, what were the reasons for not giving effect to the recommendations of the Commissioner on the subject?” Answer—“The Commissioner's final recommendation was in favour of a graduate lady, but both he and the District Magistrate had earlier recommended a lady whom Government agreeing with what was originally the local officers joint advice decided to nominate.”

“(d) Does the lady member possess any special qualifications, educational or otherwise, which justified her nomination in preference to the lady recommended by the Commissioner. If so, what are the qualifications?”

Answer—“She has no special qualifications, but was preferred for the reasons just mentioned, viz. that she was the first candidate recommended.”

I am sure that if time permitted and if any honourable member of the House was so disposed, a tale could be told which would shock the very gods in heaven. Outside this House I have heard such stories relating to these nominations as I might describe without exaggeration as being simply scandalous. The questions put in the House show what amount of attention was aroused by these nominations. The answers given by the Minister betray an utter and astounding lack of capacity to appreciate the issues in the matter of the importance of the subject. Two conclusions emerge from what has happened in the recent nomination. One is that this particular Minister cannot be trusted and ought not to be trusted with the exercise of discretion wherever personal patronage is involved, because he has himself said, to him there is no question of propriety, to him it is all a question of patronage. Secondly, I do hope that as soon as Mr. Clay's much wanted new constitution, the highly boomed provincial autonomy comes into being, steps will be taken to amend both the District Boards and the Municipalities Acts, to do away

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altogether with the system of nomination by Government and to make those self-governing bodies completely elected as the Legislative Assembly of the future will be. If a body so highly important as the Legislative Assembly of the whole province can be trusted to be a completely elected body without either official or nominated non-official members, the much smaller bodies of district boards and municipalities can be trusted at least up to that extent and I do hope and trust that we have seen the last of the scandals and the abuse of patronage by the Minister by way of nomination on the boards.

Rai Bahadur Thakur Hanuman Singh: It is a very great disadvantage to one to speak after Mr. C. Y. Chintamani, whose force of argument and oratory are such that it makes the members inattentive to listen to the arguments and statements of the speaker who follows him. I would have refrained from speaking, but a sense of duty compels me to make certain statements on the floor of this House revealing certain conditions existing in the districts concerning elections of members and of office-bearers in the district boards. Sir, I had no intention to add more trouble to the troubles already created by my honourable Leader, Mr. C. Y. Chintamani for the Hon'ble Minister if I had an occasion to refrain from speaking. Sir, I have received telegrams, letters and representations in person from the people of Ballia, conveying to me that the district authorities there were openly interfering in the election of a member to the chairmanship of the education committee. The district officials of that district are favouring one candidate, while the Board wants to have another candidate. There is a tug of war between a party in the District Board and the district officials. There is no doubt that if the Government through the Hon'ble the Minister for Local Self-Government is not coming forward to check the undesirable and most objectionable state of affairs, then, Sir, people will come to think that Local Self-Government is a farce. There is a strong desire on the part of the bureaucracy that the boards should be guided by this, I have received information from a reliable source that one of the Deputy Collectors in Ballia called two members—Babu Mahadeo Prasad and B. Kedar Nath Sinha—to his house and detained them there until he extorted a promise from them that they would vote for the candidate to the chairmanship of the education committee, whom the Collector of the district was supporting.

Raja Jagannath Bakhsh Singh: What action did they take?

Rai Bahadur Thakur Hanuman Singh: They could not take any action.

Raja Jagannath Bakhsh Singh: Why?

Rai Bahadur Thakur Hanuman Singh: Because one of them is an Honorary Magistrate and cannot go against the Collector; and the other is a Government trader, it will be too costly for him to give up that job.

Sir, it should be the duty of the Hon'ble the Minister to check such malpractices and give the people a free hand to carry on the administration entrusted to the municipal and district boards as they wish. It may be that some of them may be liable to commit mistakes, but by committing

mistakes they will learn and gain experience. In the Rae Bareilly District when the elections of the Chairman of the district board, the Vice-Chairman and the Chairman of the Education Committee were pending, matters were not less objectionable than what they are in the district of Ballia. There too some members were confined at the private houses of certain officers of the district and were allowed to go out only when the elections were over. Is this propriety? Is this fairplay? Is this the good intention of the Government to let the people carry on their affairs without interferences? We should be all the more sorry that such things are going on in the departments which are under the direct charge of our representatives in the Government. If such things were allowed under a bureaucrat, that would have been quite another thing, but when they are being allowed in the departments controlled by the Hon'ble Ministers, we should be only sorry and say nothing more. Had the nominations and the policy of the Minister been what they should have been, there would not have been a series of questions by the representatives in this House of nearly all the districts to which Hon'ble the Minister has given such replies as were read out by Mr. Chintamani who preceded me. The opinion which this House and the public outside will form of the administration of the Hon'ble Minister may be better imagined than described. I do not know how he can be happy in the high office which is his lot to hold at present when such things are being brought to the notice of the public and the legislature. He must repent and mend his ways for the future.

Mr. Brijnandan Lal: As the honourable the Leader of the Opposition has stated, the object of the cut is to draw the attention of the Government to the scandalous method of nominations adopted by the Hon'ble Minister for Local Self-Government. When I asked him the other day as to what principle he had followed in making nominations, his reply was: "The principle is the discretion that is vested in me, and where there is discretion involved, there is no question of principle." These words, Sir, sum up the attitude of the Hon'ble Minister towards the question of nominations. I would try to show to the honourable members that the Hon'ble Minister is wholly wrong when he thinks that his discretion is wholly unfettered. The law governing nominations is laid down in section 6 of the District Boards Act and in section 9 of the Municipalities Act. Section 6 of the District Boards Act says: "One of the nominated members shall be selected from among the depressed classes and backward classes, one shall be a representative of a class of the rural area, which has remained unrepresented on the board in the general election, and the third shall be a woman. The wordings in the corresponding section in the Municipalities Act are more or less the same. There are provisos in both these sections. It will therefore appear that there are three kinds of nominated members—(1) representatives of depressed classes, (2) representatives of any class which has remained unrepresented on the board in the general election and (3) women. I shall deal with the second clause first. The Hon'ble Minister has totally disregarded the conditions attached to class 2. He should have known that his discretion in the matter of nominations is not unfettered. He could only nominate a representative of a class which has remained unrepresented after the general election. He has not done so, has disregarded the recommendations of the District Magistrates and Commissioners and nominated men who represent no special interest, men who are relatives of sitting members, men who do not belong to the

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districts in the boards of which they have been nominated, men who are relatives of the employees of the boards, and lastly men of no position and in some cases even ex-convicts. In Jalaun and some other districts honourable members will find very good illustrations of the way in which the Hon'ble the Minister has made nominations. Then, Sir, as regards the third class of nominations, namely women, as the honourable the Leader of the Opposition has shown, he has nominated even public women. I do not think that the only lady member of the Council who brought forward amending Bills to the Municipalities and District Boards Acts empowering the Minister to nominate women could have imagined that the powers which she was conferring on the Minister would be used to nominate public women as against graduates who were recommended to him. He has chosen anybody he liked. Are these local bodies to be used as toys with which the Hon'ble Minister can play in any way he chooses? Are the respectable middle class men to be made to sit side by side with these women? Are they to be made to rub shoulders with them? Of course it is quite different with Nawabs and Rajas. They can do anything they like, but the respectable middle class people will not tolerate it

Shaikh Muhammad Habib-ullah: Sir, is it parliamentary to say that Nawabs and Rajas may tolerate this but not the respectable people? Does my friend mean that Nawabs and Rajas are not respectable?

Mr. Brijnandan Lal: My friend is neither a Nawab nor a Raja. I do not see why he objects. They seem to be perfectly pleased with the remarks as they have not objected

Raja Saiyid Ahmad Ali Khan Alvi: They do object but they do not want to say anything because

Mr. Brijnandan Lal: I do not mean any offence when I say this. I mean big people can do things which small people cannot do. Further I do not say that as a whole they do it. All I mean is that if they do such things they will be tolerated but not so in the case of middle classes. I do not mean any offence to the Raja Sahib of Salempur who is a perfect gentleman.

The Hon'ble Minister realized that he would be told that he should have accepted the independent recommendations of the District Magistrates on the spot. Therefore he tried to conceal the real state of affairs. When Mr. Yusuf Ali asked the following question on 12th March—

“How much money did the Department of Local Self-Government spend in telegrams of enquiry from district authorities in various districts in the province over names not suggested or recommended by district authorities for nominations to the local Boards?”

The answer of the Hon'ble Minister was—

“The information is not available and Government consider that the labour which would be involved in making the calculations would be disproportionate to its utility.”

Then I pointed out that it was only a question of adding up telegraph receipts, Sir. you then humorously remarked that additions meant labour. These are the telegrams which were sent subsequently to the

previous recommendations of the District Magistrates and Commissioners, but the Hon'ble Minister refused to give any information on this point.

He states that he has not followed any principle. I am told that he has been saying that his effort has been to exclude Congressmen from the chairmanship of these local bodies. First of all, I do not admit that all Congressmen are bad. There are both good and bad people among them as they are among non-Congressmen. But let us examine the Hon'ble Minister's claim. I submit that his claim is absolutely unfounded. I will give illustrations. The honourable member for Saharanpur, a Khan Bahadur and a very popular member of this House and a loyal citizen, was excluded by his nominees from the chairmanship of the District Board. He is not a Congressman. Some Muslim honourable members might think that he might have helped some Muslim gentleman to become Chairman. But I know that in one district, perhaps Mainpuri, he has excluded a loyal Muslim in favour of a Hindu Chairman who has Congress leanings. What principle then has he followed? He has followed the advice of his few friends, as the entire province knows by now. It is a scandal. It will bring any Government into contempt. Any legislature in any part of the world will turn out such a Minister in no time. But what is the remedy? Once a remedy was applied by the Government on the suggestion of my friend Rai Bahadur Thakur Hanuman Singh. The Hon'ble Minister abused his power of appointment of sub-registrars also.

The Hon'ble the President : We are not concerned with this matter here.

Mr. Brijnandan Lal : Very well, Sir, we know that the Hon'ble Minister will remain in his seat only till the end of the life of this Council because the Province does not wish to see him in his seat in the new Council.

(A voice : Is it an offence if we see him in his seat after the life of the present Council is over?)

The point is to draw the attention of the Government to the improper way in which nominations have been made and to suggest remedies, and Hon'ble Ministers not coming back in the new Council is one of the remedies. In some cases, there has been another game. For instance, the Hon'ble Minister and his nominees are supporting a particular candidate, but he does not succeed. In spite of that, a telegram of congratulation goes to the successful Chairman after a telegram to the District Magistrate asking him as to what party does the successful man belongs.

The Hon'ble the President : How can the honourable member stop the issue of private telegrams?

Mr. Brijnandan Lal : I do not want to stop telegrams: but it is double dealing and a misuse of Government money.

Khan Bahadur Maulvi Fasih-ud-din : They are not Government telegrams.

Mr. Brijnandan Lal : The Khan Bahadur Sahib knows more about them than I do. When he gets up to speak, he will have something to say about the matter.

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I submit, Sir, for the consideration of this House, that the Hon'ble Minister was not guided by any political or communal considerations, but by extraneous considerations which are not worthy of a Minister.

Shaikh Muhammad Habibullah: Sir, the Hon'ble the Minister for Local Self-Government, who is such a popular figure in these provinces, has been hackled for some time over these petty matters of nominations to local bodies. Sir, the last speaker has really let the cat out of the bag by saying that the respectable middle class does not like the Rajas and Nawabs, and the main fault of the Hon'ble Minister therefore is that he happens to be a Nawab and a hereditary too, and has earned for himself the title of Knighthood. This is his noble record of public services.

Now, Sir, it is said that he has behaved in such a scandalous way that he is no longer fit to hold the office of Minister, and the greatest scandal that is attributed to him is that he nominated a woman—knowingly or unknowingly—that she was a public woman. May I know what the House or any member of this House will do to an electorate if it were to elect to a local body the woman who is the subject of criticism here? Will they wipe out that electorate and make the election void? If the information received by the Minister convinced him that that woman was a proper person for a certain board, he was perfectly right in nominating her. He must have relied on the information supplied to him, as he cannot be expected to know each and every one nominated to these local bodies personally.

Further, it is said that the Minister has been guilty also of nominating "*pardahnashin*" women, when those not observing *pardah* were available. Here I give credit to the Minister. He is for the emancipation of women and wants to bring out of *pardah* educated ladies, so that they may take their proper place in public life. I know there are a lot of women who are graduates and intermediate passed who still go out in *burgas*, and if the Hon'ble Minister has nominated intelligent women, I must say that he has exercised his discretion properly and should be given credit for that.

Now, Sir, the greatest and the biggest charge against the Minister is that he has not given proper weight to the recommendations of the district officers. Well, Sir, I am glad that the members of this House, who always discredit district officers and bring all sorts of complaints against them, have on this occasion shown their solicitude for district officers as against a Member of Government. Well, Sir, why has the Minister done all this? They, the critics, say—just because this was the year for the appointment of chairmen, therefore he took recourse to all these tactics so that those chairmen may be elected whom he liked or, so to say, whom he thought most suitable for those particular local bodies. Is it a new thing for a Minister to do? May I know if the Hon'ble Minister in doing so has not in the majority of cases succeeded in getting elected a good chairman to local boards? There may be cases where he may have committed mistakes in the nomination and by his nomination some good man may have been deprived of his success, as it is said in the case of my friend from Saharanpur, but can there be anybody who can be infallible? I can vouch for the *bona fides* of the Minister, but I cannot say that he is unerring, and nobody can be unerring. I think that the Hon'ble Minister has more

regard for the recommendations of the district magistrates and other officers than many other Ministers who held that position previously. He is popular with his Secretaries; he is popular with the heads of the departments, and he is popular with the public. If he has committed any mistakes they are mistakes of the nature of which human beings are capable of.

Now, Sir, it is said that in future there should be no nominations; there should be all elections. Well, as I have said before, elections will not guard against those kind of people getting into these local bodies as have been criticized on the floor of this House. Sir, I think it is the weakness of every member of Government, from Minister downwards that if he belongs to a particular school of thought, or to a particular school of politics, he always tries to back up that class of people. I fail to see that in these elections to the local bodies the Minister has done anything which has produced bad results. It may be one or two cases. If we go to the local bodies and inquire, we will find that in majority of cases people are satisfied with the help that every board has received by the nominations made by the Hon'ble Minister.

I hope, Sir, that the honourable members of this House will look from a broad viewpoint and not take a narrow view of the action that has been taken by the Minister. Even his worst critics always say that Nawab Sir Muhammad Yusuf is a thorough gentleman and is well-meaning, and we should not attribute anything ill to him.

Thakur Balwant Singh Gahlot: Sir, after listening to the speeches of the honourable Leader of the Opposition and his able Deputy, Thakur Hanuman Singh, the position is made very difficult for me as to what should be done in choosing between the two different opinions expressed by two eminent members of this House. The honourable Leader of the Opposition criticized the nominations made by the Hon'ble Minister that in most of the cases he has not followed the recommendations of the District Magistrate. While on the other hand, his Deputy pointed out that the Hon'ble Minister has failed to stop the District Magistrate in interfering too much in the election of the Chairman of Ballia district. With the expression of these two views

Mr. G. Y. Chintamani: Sir, I wish to say that I did not make it a matter of criticism that the Hon'ble the Minister did not follow the recommendations of the District Magistrate; it was only a narrative statement and an expression of opinion on them. As regards interference by officials it is altogether a different matter.

The Hon'ble the President: Thakur Hanuman Singh has spoken of this.

Thakur Balwant Singh Gahlot: So, Sir, it is difficult which side to take. It is very difficult to say that the Hon'ble the Minister is right in every case when making these nominations. To err is human. Nobody can claim that in making such nominations or in choosing between different responsible suggestions and recommendations he will be correct in every case. But at the same time, Sir, it is quite obvious that District Magistrates make recommendations according to their own likes and dislikes, and this honourable House on more occasions than one has criticized the District Magistrates on taking absolutely arbitrary action. If some honourable member wants me to cite such a case, I can say there

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are a good many cases in which District Magistrates have interfered with the free elections to these local bodies. It is also a fact, and I think the Hon'ble the Minister made it clear in his reply, without making any reservation,—that some of us wanted that our voice should also prevail, while the Government were making nominations and were choosing different persons to represent different interests on the local bodies.

Sir, if this method of giving due weight to the representations made by non-officials is not adopted by the Hon'ble Minister then my fear is that the position of the District Magistrate may certainly be enhanced, but that of the honourable members of the House in the public will certainly be lowered. I would like to make the point clear that I was also a Chairman of a district board, but in my case the Hon'ble Minister exactly followed the recommendation of the District Magistrate and I have no cause of quarrel with him on that score. But, Sir, all the same there are other agencies; there are other sources by which the Hon'ble Minister, who is at the head of the Local Self-Government can find out as to who would be the best persons to further the cause of real Local Self-Government in different local bodies. My question was quoted by the Leader of the Opposition that in making nominations the Hon'ble Minister did not have full regard to the representation of different communities upon those local bodies. Sir, I would, though I am not in favour of making those nominations exactly on communal lines, certainly like to emphasize upon the Hon'ble Minister the necessity of at least keeping this point also in view when nominations are being made. No community should have a grievance on that score, because things are now being looked through coloured glasses and there are to be no such occasions because it leads to causes of misunderstandings and grievances. It is, Sir, pointed out that persons of low position were nominated and also in one or two cases ex-convicts. With regard to those who are said to be persons of low position, in my humble opinion it is not necessary that a good person should always be a person of good position. There are very good people among poorer classes as well who can best represent the interests of the class to which they belong or to the industries with which they are connected. As regards the other I have very little to say on the point because what I find today is that most of the dictators in different countries and most of the persons who are at the helm of affairs in the Government in those countries and in other respectable places are ex-convicts in one way or other. It may be pointed out that the nature of the crime in one case might be different from the nature of the crime of the other. But, Sir, there are cases in which the most hardened criminals have improved their lot, and also most honest persons who have lowered themselves to the most degraded lives. The question of time in this case is a very pertinent question, as to when the person was convicted, and the present condition of the man should be the chief factor in deciding whether he is capable to be nominated on any particular local board. Nothing has been said as to how long that fellow had been convicted and what type of man he was, whether he is following the same track and committing crimes for which he was convicted or whether he is altogether a changed man. Sir, if the issue is that only the recommendations of the district magistrates are to be followed or that there should be no power to make further nominations by the Hon'ble Minister in the new constitution, I have very little to say, because it will be only possible after the different Acts have been amended. If the first is made

the issue I would ask the honourable mover of this cut that he should supplement the issue with this proviso that there must be some rules to the effect that the district magistrate should also nominate the persons after ascertaining the views of the non-officials on the subject, and the best way of ascertaining the non-official view would be to consult the local M.L.C.'s of that place. Sir, it may give cause for laughter to some or to many, but I think those honourable members who laugh betray a lack of confidence in themselves, because, Sir, when M.L.C.'s are elected they are supposed to correctly represent the views of the localities from which they come, and if they fail for them the punishment is not far ahead, that is the next elections, but for the district magistrates, they come and they go, but the non-officials remain in the districts and they are responsible for the views of those districts. With these observations, Sir, I resume my seat.

Rao Krishna Pal Singh : Sir, it is a matter of real surprise that after the lucid and forceful speech made by the honourable the Leader of Opposition there have been members who have stood up to defend the action of the Minister. Sir, if this kind of thing does happen in a House whose duty it is to bring pressure upon the Government and upon the executive to refrain from abusing power which is placed in their hands : if this House treats lightly matters which raise indignation not only in the hearts of non-officials but which even bring a chorus of disapproval from officials, then, Sir...

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : How does the honourable member know it ?

Rao Krishna Pal Singh : I know it because a responsible officer told me—a Commissioner.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Will you name him ?

Rao Krishna Pal Singh : Yes, and when the time comes I will bring the Commissioner here to you or take you to him. He will not be afraid of you, you may be sure. You may be receiving the patronage of the Minister, but it does not alter the facts. Therefore, Sir, I feel that if this kind of thing is allowed in the House, then it may be said plainly that we are not fit for any kind of responsible Government ; it will be much better for us to remain in servitude, to remain forever bound in the shackles of a steel-frame administration from Britain, from Japan or any other country rather than to be given freedom of which we are not capable of making proper use. Here is a matter, Sir, in which a Minister responsible to us has deliberately abused his power in more ways than one ; and here we are, members who are supposed to be leaders of public opinion standing up one after another not only to defend the Minister but to justify the action which cannot be described as only objectionable but as disgraceful. To stand up and say that the nomination of a woman who is of a rather objectionable character was all right and what the remedy would be if a constituency did the same thing, this, Sir, is a matter for surprise. It may have been another thing if my honourable friend had pleaded that the Minister was ignorant of the circumstances in which the nomination had come to be made, but it is very serious to defend the action of a Minister who knowingly and deliberately made a nomination of that type. I say, Sir, that if this kind of matter were treated in this House in so light a manner the additional burden of

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expenditure involved in the conferment of provincial autonomy will be entirely wasted. I therefore hope that before honourable members make up their minds to stand up and defend such actions they will be wise to think twice before they leap. If honourable members desire to support the Hon'ble Minister it is much better for them to wait for the opportunity of voting and then they can quietly walk into the lobby after him. But, Sir, we should not expose our weaknesses in this manner, we should not expose our defects in this manner to the entire province, to the country and to the rest of the world. What will people outside this country think about us when we support a Minister who has in a statement said that he paid no heed to propriety, and we stand up here to applaud him and say "We all share his opinion, we consider it our duty to support him because he happens to be a hereditary Nawab." This matter is so serious that we should consider our responsibility which has been placed on us by the electorate, and we should not utter words which would prejudice people outside the Chamber, outside the province against our capacity to manage a government.

Although it is very unfortunate that I should refer to a matter which can be termed as communal, but the figures quoted by the Leader of Opposition, which were supplied by the Government themselves, make it clear that the matter has got to be brought before the House. It is as clear as daylight. I cannot possibly convince those who refuse to be convinced, I can only convince those who are open to conviction that this particular matter has not received the consideration which it should have. We find that out of the total number of nominations which the Hon'ble Minister made, he did show a partiality to one particular community. We do not desire that communal representation, either in the local bodies or in central or in the services, should exist. But the evil is there—a most unfortunate evil. Therefore so long as it does exist and so long as some people want to have it we cannot escape its consequences. We have to face them, and therefore people cannot have it both ways. Either it should be representation in proportion to the communal proportion among the inhabitants of the province or of the country or it should not remain. If it is conceded that the principle of communal representation has been accepted we should abide by it. Therefore when my friend Mr. Brijnandan Lal says that the Hon'ble Minister was not biased, I very much doubt it. I think that is a point on which he has to submit an explanation to this House.

The other point is still more serious. It is a question whether persons of approved character, who have ability to partake in the discussions of local bodies have been nominated. Doubt has been roused as to what would be the method which can guide the Hon'ble Minister in such a nomination. The method is clear. He should satisfy himself that the person is capable of discharging his duty, that the person is of the right type of character and possesses quality of integrity which is so necessary for the discharge of public duties. He has various sources for ascertaining this fact. The recommendation of the district magistrate should fully satisfy him. If not he is perfectly justified in ascertaining facts from non-official members of this House, or other non-official sources if he chooses to do so. But the fact remains that the responsibility is his as regards every nomination which he has to make, and he should satisfy himself as to the

suitability of the particular person before he nominates him or her to a local body.

Sir, one other point was raised by my honourable friend, Mr. Habibullah. He said that the local bodies were satisfied with the nominations. That is a remarkable statement. If he had mentioned one local body

Shaikh Muhammad Habibullah : I said the majority of the boards.

Rao Krishna Pal Singh : Sir, it is impossible for him to know what the majority of the boards say. Nominations have been made not fully two months back. Through what system? We have not got the system of broadcasting so efficiently distributed in this province so that he can be able to ascertain the opinion of the majority of the boards as to whether they are satisfied or not with the nominations which the Hon'ble Minister had thought fit to make. Therefore, Sir, I very much doubt the correctness of his statement. I think, Sir, that such an opinion of the boards has not been taken, and if an inquiry is made the answer is likely to be in the negative and not in the affirmative.

Rai Bahadur Babu Jagadeva Roy : Sir, I realize that the last speech which has been made on the floor of this House is very much responsible for several reasons to us, we have to see our way one way or the other. Our responsibility has been extended by the fact that the last honourable speaker expects that as he represents his constituency and the public, so the other members should do so. I assure him that we do so accordingly. Now we have to see whether in case of difference in a matter of opinion from another it can be said that we are not representing the constituency from which we come. I would say certainly not. According to his own reasoning which he has given against the arguments of the honourable Shaikh Habibullah, I would ask him to apply the same reasoning in his case and he will find the answer there. He says that it cannot be said that in such a short period as of two months Shaikh Habibullah has been able to come to the conclusion that nominations in the majority of the local bodies were to the satisfaction of the people concerned. This he doubts. Can't I give him the same reasoning and ask him whether he has got such an agency which has enabled him to come to the conclusion that there is a general dissatisfaction in the majority of local boards? What is his information which lends support to the fact that he does not believe in the statement of Shaikh Habibullah?

Rao Krishna Pal Singh : The information supplied this morning.

Rai Bahadur Babu Jagadeva Roy : I have got an answer from him which is confined to the answer given this morning. What is that answer? What is the information which he has got this morning? I say that that does not go to show that there was general dissatisfaction. Therefore the point which we have really got to see is whether there is any sort of defect in the system of nomination. If that is a defective system then we have to see what is the remedy for removing this defect. That is one of the questions. My point is that if all of us be of opinion that this system of nominations should be done away with, we have got the choice to bring an amending Bill and to get rid of that. But if you do not find any defect in the system itself, then the second point for consideration is whether there is some sort of shortcoming in the particular Minister who has been exercising the power of nominations. As to this I think that under the present circumstances and under the law as it stands we have to

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see whether the nominations made by the Hon'ble Minister were made in the exercise of proper discretion. That is the only issue before us. Now all of us will have to admit that to err is human. Not only this but it is an established fact that even in law courts we find appeals after appeals. The right of appeal is given in order to rectify mistakes. Now according to law there is a discretion which is to be exercised by a particular officer. Now in exercising that discretion you yourself do not say that he committed the mistakes knowingly and voluntarily. According to the speech of Mr. Brijnandan Lal, there was no communal feeling, there was no political feeling but the advisors were bad. That was the fault which was laid at the door of the Hon'ble Minister according to his speech. The point therefore is how are we to call for information. Simply because you have been able to give reasons for and against on the floor of the House, are we to be led away by that speech or are we required to look into the reasons given therein? You go further and say on the strength of it that we are not fit for Swaraj. Is that the question involved here? Can your reasoning lead us in that direction? I say, certainly not. We have to look to the reasons. What are the reasons which you have advanced up to this time? One speaker said that recommendations made by district magistrates and Commissioners were ignored. He was contradicted by another gentleman who complained of the highhandedness of a district magistrate. The question therefore is what the Hon'ble Minister is supposed to do? Is he to be guided by the nominations of district officers or is he not to be guided and should exercise his discretion? If he exercises his discretion, it is objected to: if he receives representations, it is objected to: if he gets information through honourable members of this House, that is also objected to: if he follows district officers, that is also objected to. Then is the Minister supposed to be on the spot in the case of every nomination? I say, certainly not. I say let us look to the other side. I mean the elections which took place in these local bodies. Do we not find suits pending in the courts of district judges and Commissioners? What sort of scandal was there? Was the Minister involved in those cases? My submission is 'No.' It is a certain class of persons that employ tactics of all kinds which bring discredit to themselves. I therefore submit that we must look into the facts of each and every case on its merit. Now, Sir, out of the forty-eight districts now many instances have been given on the floor of the House where scandalous nominations have been made by the Hon'ble Minister? From the speeches that have been made it appears to me that there have been very few cases where undesirable nomination have been made, assuming that the facts stated are correct, and even here I must say that the material which was provided to the Hon'ble Minister was such as led him to make so-called undesirable choice. All that is said is that the Minister was prompted by wrong advisers in these cases. So there is nothing wrong with him. For the purposes of a motion of censure on the Hon'ble Minister it is however very necessary to prove that in a large majority of cases the Hon'ble Minister did not exercise his discretion properly. If only in one or two cases he made a mistake, there is no discredit attaching to him. Only yesterday we were considering the question of the abolition of patwaris posts. It was urged by some members that however undesirable that institution was there was no alternative to it.

The Hon'ble the President : The honourable member had better go on after the recess.

(The Council at this stage adjourned for lunch at 1.15 p.m.)

(After recess the House reassembled at 2 p. m. with the Deputy President in the Chair.)

Rai Bahadur Babu Jagadeva Roy : Sir, when the Council adjourned for lunch I was analysing the views of the various honourable members which were expressed in their speeches, in order to show to the House that they were not in possession of such materials as to enable them to come to the conclusion that the action of the Hon'ble Minister amounted to a contempt. In my opinion we have to see in a serious matter like this the specific instances about which there can be no two opinions. I have pointed out that according to these speeches opinions have differed with one another. Therefore in view of all these considerations and the tactics adopted in election matters and if we are going to exercise our independent opinion having regard to the materials which are available for and against, it cannot be said with safety that any case has been made out. Therefore I think this is a matter which requires the consideration of each of us and we should be guided by our individual opinions based upon facts and figures. With these words I resume my seat.

Thakur Keshava Chandra Singh : Sir, I do not blame the Hon'ble Minister for Local Self-Government for not following the advice of the District Magistrates in the majority of cases. In fact I just moved a cut in which I showed that any reasonable man, knowing some English, would not have come to the conclusion to which the Returning Officer and the District Magistrate came in my case. But I do think that the advisers and friends of the Hon'ble Minister let him down in these nominations. What happens is this that after the elections to these local bodies are over the prospective candidates for chairmanship try to get persons of their own party to be nominated by the Government. These prospective candidates for chairmanship only wish to have such people as they think will vote for them and will not exercise their own judgment. In fact the prospective candidates for chairmanship in the majority of cases wish to have voting machines in their favour. They wish to have persons who will be entirely under their thumb and whom they can catch by the ear any time they like. For this reason if they know any local M.L.C. they run up to him to approach the Hon'ble Minister. Now the mistake which the Hon'ble Minister committed was that when receiving their recommendations he did not consult the District Magistrates. If he had consulted the District Magistrates, probably he would not have committed the mistakes which were pointed out by the Leader of the Opposition. To a question which was put by my honourable friend, the member for Orai yesterday, the Hon'ble Minister replied that the person nominated by him in the Orai Municipal Board was the father of a member who was already sitting on that board; and that he was nominated to represent a special interest, that is the interest of banking and commerce. To a supplementary question put by him, the Hon'ble Minister replied that he did so as he was recommended by a memorial sent to him by the public, and that he did not consult the District Magistrate about the matter. If he had consulted the District Magistrate, I am sure he would have told the Hon'ble Minister that the member nominated by him was the father of the sitting

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member, and the Hon'ble Minister would not have then nominated him to represent the special interest, as it was already represented in the board. I am afraid the Hon'ble the Minister in his anxiety to oblige his friends and also some of us, did not take the trouble of consulting the local officials in the matter. Let me make my position quite clear. I do not blame him for not following the recommendations of the local officials but I do blame him for not consulting them on the respective merits of the members who were recommended to him by local associations, by public bodies, by memorials, or by the honourable members of this House. Sir, in Banda also there has been a lady who has been nominated by the Government; and she is a *pardahnashin* lady. She was also a nominated member in the last term of the district board, and she used to come in *burga* then. Even now she comes in *burga* when she attends the meetings of the board. In the last term of the district board, that is to say for a period of four years, she only attended the meetings of the board for less than half a dozen times. She attended only when there was the election of chairman or vice-chairman, and simply raised her hand. But even then she was nominated a second time. It is no use nominating such ladies because they can be of no help to the deliberations of the board: in fact it was never the intention of the Act which was passed by this Council to have a nominated lady like this in the board. In think, Sir, that the evil which has been complained of by this cut motion can be remedied if Government decides to nominate members after the election of the chairman. In reply to a question put by Babu Ram Bahadur Saksena, the Hon'ble Minister said that he nominated members for the smooth and efficient running of local bodies. The Government can never know before hand whether the Board will run smoothly or otherwise without knowing as to who the Chairman was. I may mention an incident, for the benefit of the Government, which came to my notice during the regime of the predecessor of the Hon'ble Minister. In our own Board the District Magistrate had recommended certain persons to the Government for being nominated. It was seven or eight years back. He was so keen that he sent those names to the Secretary, District Board, informing him that he had recommended to the Government those persons for nomination to the Board, and asked him that notices should be sent to them to attend the meeting of the Board for the election of the Chairman. In the meantime wires were sent to the Government to sanction the nominations. At that time my friend Rai Rajeshwar Bali Sahib was the Minister for Local Self-Government, and he refused to sanction the nominations before the election of the Chairman. If the Hon'ble Minister for Local Self-Government follows this example, I hope that these complaints would be avoided and it will be conducive to the smooth running of the boards. As things stand, the Hon'ble Minister is bound to side one party or the other and what he thinks he is doing for the smooth and efficient running of the board might turn out otherwise after the election of the chairman.

There is one more point which I would like to mention in this connection. The honourable Leader of the Opposition said that many scandalous rumours are current regarding these nominations. The honourable speaker who spoke before me said that there are prevalent about local boards many allegations of bribery and corruptions and such other things. It is said that these candidates for chairmanship approached the Hon'ble

Minister through his friends and the Hon'ble Minister is so indulgent to his friends that scandals are bound to arise. As the honourable mover said it brings Government into contempt. Not only this, but it lowers the honourable members of this House also in the estimation of the public. I do not wish to say more on this point, because it is so very unpleasant to me, but I thought it my duty to express it because this sort of thing produces a bad effect on the public. The Government should not only be just and impartial in these nominations, but the public ought to know that the Government is just and that it is guided by the best of motives. If in these local bodies we ask a member to behave well, he always points his finger to the doings of the Government. They say that when Government, in order to achieve its object, nominates persons by adopting undesirable methods without looking to the efficient and smooth running of the board, why should they not adopt similar tactics. Sir, this is very unsatisfactory.

With these few remarks I resume my seat.

Raja Jagannath Bakhsh Singh: Mr. Deputy President, denounce the gods, and when one becomes a god one tries to act accordingly, seems to be the natural way of life in this world. When one is not rich enough he is apt to criticize the rich; when he becomes rich he acts according to the rich people. I am not, therefore, surprised at the debate that has taken place this morning and all the heat that has been generated by various speeches. I think the position of the Opposition is fully justified. A strong Opposition always tries to keep the Government balanced, and if they see that the Government is not acting according to their views then surely they can oust them and get into their places. That position so far as we can see is perfectly constitutional. On the other hand, I have not seen any Government which does not give patronage to its supporters, in this country or in other countries. All governments have to strengthen their position by various means. There is nothing unconstitutional in activities of that kind. We have to judge the matter from a broader point of view. I may say at the outset that I am not here to defend the cause of the Government or of any member on that side. I think they are quite competent to be left to defend themselves. But if I rise at all to say a few words, it is because broader issues are involved. If issues are forced, what will the result be? The result will be that the Ministers will have to vacate their offices. It will clearly be an adverse vote against the transferred half of Government. So, Sir, any member who casts his vote on a division like this must keep in view such serious consequences. It is regarding such consequences that I have to say a few words. What is the position of the present Government, and in what circumstances do they exist at the present time? This question is to be considered before we cast our vote. In the first place, all the speeches that have been made have been centred against one member of this House. We must bear in mind that the Ministers hold joint responsibility. That is a matter of considerable importance. The second thing is that we must also not overlook the fact that the Government, as constituted at present, is one half removable and the other half irremovable; obviously the part that is irremovable exercises perhaps a stronger control over the whole Government. My honourable friend the Leader of the Opposition has very often remarked—and I have great admiration for his opinions—that the transferred half was the out-houses of the Government. So obviously the

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transferred half is influenced by that part of the Government which is irremovable.

A voice : Is the honourable speaker in favour of the nominations that have been made by the Government ?

Raja Jagannath Bakhsh Singh : Sir, there is no time for me to yield to such interruptions. My honourable friend may rest assured that I do not hold a brief for the Government : I am not standing up to defend their case ; I do not say that the nominations that have been condemned from the opposite benches were the best that could be made ; and that they should not have raised this question at all. That is not my object : I am speaking on broader issues and I think the honourable members will agree that I am justified in taking this line.

Now, Sir, the third point is that this Government has existed for 15 years and about three months. It is perhaps the last budget that they have put before the House and the next budget will be presented by some other Government. The last but not the least important fact is that only a short time has elapsed when we accepted with acclamations the increase in the salaries of Ministers. A Ministry which was not capable of remaining in office for another two weeks should not have received the acclamations of the House. They should not have considered their past services and sacrifices which they had made and increased their salaries to Rs.5,333, a few annas and a few pies. After doing that if we pass an adverse vote today against the Ministry, what will be the position of the non-official members ? Up to the time of the increase in their salary the House agreed that they deserved it, and it is only after that that their actions have been considered such that they should be thrown out. If that is the position I think it requires very little argument that the action of passing adverse vote is not justified. Then, Sir, as I have mentioned, after a few months, not even a whole year, the new Government will come into power and that Government will be entirely responsible to the House, which will have to vacate office entirely after an adverse vote. We have condoned the sins of omission or commission for the last 15 years and 3 months. We have increased their salaries as a recognition of their services about the end of their regime. Now after doing all that, assuming that one member of that Government has acted not in the right way and not in the public spirit in which he should have done in the matter of nominations, although I am not aware that the action of the Hon'ble Minister was such as to condemn him in the spirit in which he had been, I admit and I yield in that respect that honourable members may be right in expressing their views on that point, but I would only like to say from a general point of view. There is a short period of not more than 10 months now left. Is it right that we should force issue in this matter ? Honourable members who oppose the Government in this matter are fully justified in so far as they do not accept the Hon'ble Minister's nominations in the majority of cases and that he should have taken more care in making the nominations which go against the public spirit. All this is quite true but to force the issue and to try to oust the whole Government over this matter is, in my opinion, not justified. Nor do I think that those honourable members who supported this cut motion will be justified in doing that. I there-

fore make my position quite clear when I say that I do not support this motion simply on broader issues and not on the points that have been raised.

Khan Bahadur Maulvi Fasih-ud-din : Sir, after the learned and rhetorical speeches of the honourable the Leader of the Opposition and his colleague, Rao Krishnapal Singh, and somewhat philosophical speech of my friend Raja Jagannath Bhatt's Singh, a man of my temperament hesitates to speak on a subject of this kind. But, Sir, it is the sense of duty and sense of duty alone which compels me to come to the rostrum on this occasion and have my say. I must make it clear that I am not an apologist for the Minister. I know that he has some faults in him as every man has. I know that he has good qualities and some weaknesses too, but we have to deal with this case on its merit at present. Sir, I am somewhat embarrassed on seeing the quadrangular fight between the four luminaries of the Opposition Party. Rai Bahadur Thakur Hanuman Singh runs down the members of bureaucracy, and rightly so in my opinion. I have my full sympathy with him in this respect and I can quote before this House even sadder tales and the shabby manner in which some members of that bureaucracy have been acting in connection with the last elections. But my friend Mr. Chintamani has quoted some figures which show that the Hon'ble Minister for Local Self-Government has not been following the advice of the members of that bureaucracy in so many cases. He now takes shelter by saying that he simply made a reference of these figures and he did not mean to side with the Collectors and Commissioners in a matter of this kind, but if that were the case, he should not have even quoted those figures, and he should have congratulated the Hon'ble Minister for having differed from the members of bureaucracy in so many large cases. Sir, it is a fluke of good fortune or misfortune on the part of the members of the bureaucracy that the Leader of the Opposition has taken up his cudgels against the Minister who is one of us in order to support the cause of the members of bureaucracy.

Sir, the other point which I have noticed is this that while the left wing of the Opposition Party—I do not call him the right wing of the Opposition Party—(I mean Mr. Brijmandan Lal) says that the Minister has not been communal in connexion with these elections, while his colleague the honourable Kunwar Sahib has said that the Minister has been intensely communal and that he should not hold his post for that reason, because he has brought the Government into contempt. These are the various allegations that have been made by the members of the same party against the Minister and one is somewhat bewildered as to which of these suggestions he should support and which of them he should oppose. However, now comes the main question. I find that the chief charge which has been levelled against the Minister for Local Self-Government is that he has appointed a public woman on the Municipal Board of Mainpuri. Sir, I was rather surprised on hearing this news and I lost no time in ascertaining the real facts from the M. L. C. of Mainpuri who is a friend of mine, and he told me that the so-called public woman's name was Musammat Badr-ul-nisa, that she was a Saiyid by caste and that she was the daughter of a retired overseer, who is dead; she was literate; she knew English, Persian, Urdu and Hindi very well and that she asked that M. L. C. to represent her case to the Hon'ble Minister. That M. L. C. brought her application to the Minister and asked him to appoint

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her as the nominated lady member of the Municipal Board of Mainpuri. Subsequently the relatives of that lady—I should call her a lady according to the version of the M. L. C. of Mainpuri—were furious against her and they said that they would not allow her to go and sit on the board. For that reason that M. L. C. got her resignation from her and had it sent to the Hon'ble Minister. That is the real story which was related to me by the honourable M. L. C. for Mainpuri, and I believe he was telling me the truth and nothing but truth. Great fuss has been made over this point, and I am surprised that those who have made such a fuss did not care to ascertain the real facts from the residents of the town before coming forward and levelling their serious charges against the Minister for Local Self-Government. I know that there are one or two women nominated who are women of bad character, and probably the Hon'ble Minister does not know this nor does the district magistrate. He has simply accepted the recommendations of the district magistrates. It is no use revealing the names at the present moment, but I make a reference to this fact simply to show that no Minister can possibly be held responsible for any wrong nominations made either on the basis of the recommendations of the district officers or on the basis of the recommendations of M. L. C's.

Now, Sir, I come to the question of the recommendations of district officers having been rejected or disagreed with by the Hon'ble Minister. In order not to take up much of the time of the honourable House I will take a few instances which will clearly prove to the House in what careless and slipshod manner the district officers make their recommendations. As a matter of fact, I have seen some district officers saying that as they have absolutely no control over local bodies and as they have been divested of their powers in regard to these bodies they do not care a twopence whether A or B or C goes to the district boards as a nominated member; and the very first man who goes to them succeeds in getting his name sent up to Government. That is the mentality of the district officers. What is the result of this mentality I will just prove by a few examples that I know of. In Gorakhpur the district officer recommended a certain chamar. The M. L. C. of that place was telling me that that chamar was a Congressman, and he wrote to the district magistrate that as a servant of the Government he should not have recommended that chamar. Then he forwarded the name of a barhai who was a B.A., LL.B. and asked the Hon'ble Minister to nominate him. The Hon'ble Minister asked the district magistrate if he had any objection to the nomination of that barhai and whether the chamar was a Congressman or not. The district magistrate, who was an Englishman, sent for the chamar and took the assurance from him that he would not support the Congress candidate for chairmanship, and on the basis of that assurance the district magistrate insisted on the nomination of the chamar whose name he had sent up. The Hon'ble Minister appointed that chamar in pursuance of the strong recommendation of the district magistrate. But what was the result? A Congress candidate stood for election as Chairman of the Gorakhpur district Board and this chamar was the first man to vote for the Congress candidate. That Congress candidate became successful in his election as the Chairman of the Municipal Board of Gorakhpur. That is one

instance of the way in which the district magistrates are sending up their nominations. Then there is the case of Bulandshahr. The District Magistrate sent up two names, one a Christian male representing special interest and the other, a Christian woman representing women. The Member of Legislative Council of that place represented to the Minister that both the Christians need not be appointed, and that the woman who was recommended had a tendency for Congress views. The matter was again referred by the Minister to the Collector of Bulandshahr and the Collector agreed that both nominees should not be Christians and another man should be nominated, but he insisted on the appointment of the woman. That woman gave her vote to the Congress candidate in Bulandshahr. This is an open secret. Then I take the case of my own district of Budaun. The District Magistrate of that place had recommended Mrs. Phillips for the membership of the Municipal Board of Budaun. Mrs. Phillips was not residing in Budaun City at all, she was residing outside the municipal limits and when the matter was pointed out to the District Magistrate he sent up again the name of a Muslim *parda*, *nashin* lady, who had attended only one meeting of the Board in three years. That fact was brought to the notice of the Minister, and the Minister appointed a Christian lady doctor, who had a large practice in Budaun city, to the satisfaction of all concerned. These three examples will clearly prove to the members of the House that it is not up to any Minister to be led by the nose by the recommendation of the district officers. As a matter of fact, the Commissioners do not take any interest in a work of this kind, nor have they any opportunity to do so. They are not in a position to go to the district and to make inquiries as to the suitability or unsuitability of the candidate whose name is being sent up by the Collector. I again repeat that not one but several Collectors told me that they do not care a bit as to what candidate is nominated. Whosoever goes to them first they send up his name. If that is the state of affairs, how can we blame the Hon'ble Minister for disagreeing with the recommendations of the District Magistrates? I do not mean to say that the District Magistrate should not be consulted. Some of the district magistrates send up very good nominations, but it does not follow that every one of them take such a keen interest in the work of the local bodies as some others do.

It has been said by the Leader of Opposition that the Minister should give the names of those who went to him with the names of various nominees and the names of those who wrote to him that the nominations of the District Magistrates were wrong, I do not know what reply the Hon'ble Minister will give. But my own experience is that it is on the suggestion of the members of this Council that the Hon'ble Minister does this. The members of the Council have got a position in life both inside this Chamber and outside it. They are the legitimate representatives of the people. They feel and realize their responsibility, and it cannot be said that they will be so foolish as to recommend people who are not deserving. In this connexion, Sir, I would remind my friend Rai Rajeshwar Bali Sahib of a certain fact which is an open secret and which every one of us is aware of. When he happened to be the Minister of the Local Self-Government I used to see him surrounded on all sides by the members of the Council with the names of their nominees, and he was kind enough to listen to them and to pay regard to their recommendations; and I think in eight at least out of ten cases he was good enough to listen to our

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requests. So if Nawab Muhammad Yusuf as Minister of Local Self-Government is to be run down for this fault by us, then I think our friend Rai Rajeshwar Bali Sahib also stands in the same boat

There are one or two other points which I shall only touch for the sake of brevity. The first point is this that it has been stated that the Nawab Sahib has been communal in connexion with these nominations. It is one of the misfortunes of this country that when we find a certain Hindu Minister or a certain Hindu Collector, the Muslims begin to say that he has got communal tendency, and when we find a Muslim holding such a post then some of our Hindu brethren come forward with the accusation that he is inclined to favour the Muslims. I speak to all my friends about this matter. I tell my Muslim friends not to speak against any Hindu Collector any Hindu Minister as a communalist, and I advise my Hindu friends also to do the same. There may be shortcomings in a Hindu Minister and there may be shortcomings in a Muslim Minister, but if we want to present a solid front to those who are our opponents, if we want to make an advance on the path of constitutional reform we must give up all these ideas and all these bickerings about communalism. I congratulate my friend Mr. Brijnandan Lal for having said that the Nawab Sahib has not been at least a communalist. The principle of the nominations in my opinion should be that the majority should not be changed into minority and the minority should not be changed into majority. I am sorry to say I have got some complaint to make to the Minister. In two or three municipalities he has changed the Muslim majority into minority. One of them is Tilhar, the other is Najibabad, and there are two or three other such municipalities. I once put a question year before last as to what were the municipalities in which nominations changed the minority into majority and majority into minority. ..

Mr. Brijnandan Lal : Is that a violation of the principle ?

Khan Bahadur Maulvi Fasih-ud-din : I seek the protection of the Chair against these interruptions and I will not listen to these interruptions.

I found from the reply that in as many as 15 municipalities the Muslim majority was changed into minority. I do not blame the Nawab Sahib for that. Probably he had no choice in that matter, and he was compelled for some reason or other to follow the recommendation of the District Magistrate. However these are very petty matters and I think we should not take our stand on petty matters of this kind. After a careful consideration of their arguments I find that some of our friends have made a mountain out of a mole-hill: in fact they have made a mountain out of an atom of sand.

(During the course of the above speech the Hon'ble the President resumed the Chair at 2.45 p.m.)

Rao Sahib Thakur Shiva Dhyan Singh :

راؤ صاحب تھاکر شیو دھیان سنگھ -
جناب پریسیدنٹ صاحب - میں بیحد مشکور ہوں کہ جناب والا نے مجھے کو
بہت ہی اہم مسئلہ پر کچھ بولنے کی اجازت دی ہے جس میں ہوس کے
بہترین عطرین نے حصہ لیا ہے - ہوس کے جو عطر تھے وہ قریب قریب بول

چکے میڈی کیا اواز ہو سکتی ہے لیکن میں اس کا شکریہ ادا کرتا ہوں۔ انہیں
منسٹر صاحب کے جو اختیارات nominations کے تحت وہ محض ۳ طرح کے تھے
The Hon'ble the President:

تھے نہیں ہیں *

Rao Sahib Thakur Shiva Dhyan Singh :

I beg your pardon, Sir.

نمبر ایک عورتوں کا نومی نیشن درسٹا Depressed classes کا اور تیسرا جن
کا کوئی نمائندہ اگر ہوس میں نہ آیا ہو اُس کا representation -

Pandit Shri Sadayatan Pande :

سب کے نمائندے موجود ہیں *

Rao Sahib Thakur Shiva Dhyan Singh :

لیکن اُن پر charges جو لگائے گئے ہیں وہ یہہ ہیں کہ بعض بعض جگہ
انریبل منسٹر صاحب نے اُن کو میمبر ہوتے ہوئے اُن کے لوگوں کو بھی nominate
کر دیا ہے - ایک چارج یہہ ہے - دوسرا چارج یہہ ہے کہ بعض تعلیم یافتہ
عورتوں کو اُنہوں نے ignore کیا اور بے تعلیم یافتہ عورتوں کو nominate کر دیا -
ان جملہ باتوں پر جو اعتراض قابل صاحبان کی طرف سے ہوئے ہیں اُس کے
اوپر کوئی ریمارک دینا اصلیت چھوڑ کر میڈی طاقت سے باہر ہے - البتہ جیسا
کہ راجہ جگناتھ بخش سدگھ صاحب نے فرمایا ہے میں اُن کی تائید
کرتا ہوں - اُنہوں نے صاف طور سے فرمایا ہے کہ اُن charges یعنی معاملات
کو میں قطع نظر نہیں کر سکتا - دوسری بات میں آپ کے سامنے رکھوں گا کہ منسٹر
صاحب کو اگر آپ کسی بات کا ذمہ دار بناتے ہیں تو اُن کی سپردگی میں نیا
کیا باتیں دی ہوئی ہیں ؟ اگر اُن کے پاس کوئی طاقت نہ ہو تو گاہے کے وہ منسٹر
باتیں دے جاتے ہیں - اگر منسٹر صاحب نامی نیشن کیا کریں تو nomination
کے وقت کس کس کی رائے کو شامل کیا کریں ؟ - کہ جیسے کہ آپ لوگ پبلک
کے نمائندے ہو کر کونسل میں آئے ہوئے ہیں اگر منسٹر صاحب آپ کی بھی بات
نہ مانیں تو کال کو منسٹر صاحب کی بات بھی اس ہوس میں نہیں مانی
جاوے گی - لہذا دونوں ہاتھوں سے یہی تالی بھتی ہے جب آپ لوگ سنارشی لیکن
منسٹر صاحب کے پاس بار بار جاتے ہیں تو منسٹر صاحب کو بھی کم وکثرت
اس کا لحاظ کرنا پڑتا ہے - لیکن جب منسٹر صاحب کے پاس
کمیشنر یا کمشنر کے recommendations آتے ہیں تو انہیں اس کے اوپر
غور کرنا پڑتا ہے کہ اس کو رکھنا چاہیئے یا نہ رکھنا چاہیئے اگر ایسا نہ ہوتا تو
اُنکے discretion کی کیا ضرورت تھی - اسی واسطے اُنکو discretionary
powers دی ہوئی ہیں اس کونسل کا ہمارے منسٹر صاحب کو ۹ - ۱۰
سال کا تجربہ ہے اُنہوں نے جو کچھ بھی کام کیا ہے تو پراونس province کی
بہتری کے لئے کیا ہوگا اور اگر کوئی غلطی ہوئی ہے تو انگریزی میں ایک مسئلہ
ہی human to err is human انسان ہی سے ہوتی ہے غلطی کرنے
جداوند کریم تشریف نہیں لاتے *

Rao Sanib Thakur Shiva Dhyan Singh]

اب ایک چیروٹا سا سوال میں کونسل کے سامنے پیش کرونگا کہ public woman کے کیا معنی ہیں؟ اس کونسل میں آج ساڑھے دس سے ۳ بچ گئے ہیں لیکن یہ پبلک woman کا سوال طے نہیں ہو پایا اور اس کے ساتھ ساتھ بڑے بڑے راجہ اور نواب بھی in-touch کر دئے گئے ہیں لیکن اس بات کی خوشی ہی کہ راجہ صاحب راء صاحب خاں صاحب خان بہادر راجہ بہادر اور راء بہادر اس سے مستثنیٰ ہوئے ہیں۔ اب جہاں ایک پبلک عورت ہو اگر اوسکا نام in the list of voters

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If a public woman is entered in the list of voters there is nothing to prevent her from being returned as a member of a local body.

کون authority اُرس کے واسطے مضر ہی کہ وہ میمبر نہ ہووے and what to say as a member of a local body she can come out even as the President and the Chairman if she can please the voters.

The Hon'ble the President :

اُئندہ آپ کو انگریزی میں تقریر کرنا ہوگی —

Rao Sahib Thakur Shiva Dhyan Singh :

میں معافی چاہتا ہوں — میں صرف تھوڑی سی انگریزی جانتا ہوں — انگریزی میں بات نہیں کر سکتا — لہذا میں عرض کرونگا کہ کوئی وجہ میبہ سببہ میں نہیں آتی کہ اگر ایک پبلک woman ووٹر کی حیثیت رکھتی ہو اور وہ الیکشن seek کرنے کے لیے district board یا municipal board میں اپنے آپ کو کڑی نہ کر سکے — میں یہ بھی خیال کرتا ہوں کہ اوس کو supporters زیادہ ملیں گے بجائے اس کے کہ کسی male candidates کو مل سکیں — اب میں یہ عرض نہیں کر سکتا کہ آیا میں اس کے for ہوں یا against ہوں یہ تو ہوس ہی کر سکتا ہی جب ایسے ایسے قابل صاحبان اس میں حصہ لے چکے ہیں *

Pandit Joti Prasad Upadhyaya : Sir, 'There has been very great heat in the debate which we are having today. I congratulate the honourable the Leader of the Independent Party for having delivered a very temperate and conciliatory speech which has, I think, acted like water upon fire. The honourable the Leader of the Independent Party struck the right note when he said that the debate was growing disproportionately hot which the importance of the subject did not demand. He made it clear that after having voted the increased salary by a majority, this House was not justified in passing a vote of censure against the Ministers who were jointly responsible, as he said, for the administration of the Transferred Departments. It is true that when this motion was passed by the House by a majority without a division having been challenged some honourable members opposed it, including the Leader of the Opposition, although he was not very clear in his opposition.

The Hon'ble the Minister for Education : No ; he did not object.

Pandit Joti Prasad Upadhyaya : There was some opposition. So my submission is that after having passed that motion only a few months ago, as the Leader of the Independent Party said, it would not be fitting for this House to pass this vote of censure on a very trifling subject, viz. nominations to local bodies.

Now, Sir, it is absolutely true, and I think honourable members will certainly agree with me in saying, that the Hon'ble the Minister for Local Self-Government, if we take his personal character into consideration, is a very courteous, obliging and amiable person. This was stated to me once in a private conversation even by the honourable the Leader of the (Opposition himself that he is perhaps the best member of the Government among the existing ones. I must say in connexion with this that the present system of Government in which the Ministers are in charge of these portfolios is a very defective system of Government. The Minister is always between the devil and the deep sea. While on the one hand he has to satisfy the reserved part of the Government, he is also responsible to the members of this honourable House for his actions as a member of the Government.

Rai Rajeshwar Bali : Which is the devil ?

Pandit Joti Prasad Upadhyaya : I do not know. If, therefore, in the course of making these nominations to local bodies the Hon'ble Minister advertently or inadvertently satisfied the wishes of some of the honourable members of this House, which I think he was bound to do, he has not committed any very great crime, a crime which deserves a censure by this House. As the Leader of the Independent Party has said, we have to look at the question from a broader point of view. The question is whether or not a majority of the nominations have been made from certain wrong considerations. I do not think that honourable members of this House will be prepared to hold that view. There may have been some mistakes, and I think that any Minister who would have been in charge of this portfolio would have made those mistakes. I do not think therefore that there is any occasion for such wild criticism in which the honourable members have indulged over such a petty and trifling affair. The Hon'ble Minister is accused of having turned a Muslim majority into a Hindu majority or a Hindu majority into a Muslim majority by making these nominations, though no specific cases have been given, except perhaps one of the board of Shahabad. Khan Bahadur Maulvi Fasih-ud-din did quote certain instances, but I doubt very much whether he is absolutely sure of the facts which he stated before the House. There is one more consideration which must be taken into account in respect of these nominations. I think that most of the honourable members sitting in this House have an actual experience of the working of the local bodies and the way in which votes have been manipulated at the time of the last election of chairmen to the various bodies. For one thing I think I can state with a certain amount of authority that the nominated members have been more honest than the elected members in giving their votes in the matter of the election of chairmen to these local bodies. I know of cases where the elected members of the boards have erred and very seriously erred in giving their votes to the chairmen. But I think in a very few cases, if at all, have the nominated members shown any bad faith in casting their votes for the chairmen in the various

Pandit Joti Prasad Upadhyaya]

bodies. Lastly, I submit that democracy is still in its infancy in our country. I trust that the honourable Leader of the Opposition, who is a great nationalist himself and for whom I as well as many members of this House have very great regard, will certainly look at this question from a broader point of view. He will not, I hope, let the Minister down merely for a slight fault, if it may be called a fault at all like this. I make a stirring appeal to him, and I request him not to press his motion to a division.

Pandit Shri Sadayatan Pande : It is a pity that the whole day has been swallowed up by the "nominations." It did not strike me at all when I stepped into the House in the forenoon today that the entire time was to be taken up over a small matter and that such a fuss was going to be made about this matter. But speaker after speaker went on making his points which, with the exception of a few, were not new points. The most important and novel point which was brought forward was that by Rao Sahib Thakur Shiva Dhyani Singh about a public woman. He was in the dark about the definition of a public woman. It is very astonishing to us all that in spite of his age . . .

The Hon'ble the President : We are not here concerned with the definition of "public woman". I hope the honourable member will come to the point under debate.

Pandit Shri Sadayatan Pande : Sir, I will take that point presently. What I meant by using that phrase was that a good deal of fuss was made about this particular word.

The Hon'ble Minister, as everybody knows, is responsible for making nominations and for doing so he should not be blamed, and he ought not to have been accused as severely as he has been accused. In this act of nomination by the Minister he has done nothing novel, illegal or unfair. Dissatisfaction does remain always one way or another. I believe some District Magistrates are undoubtedly dissatisfied on their recommendations having been turned down. Similarly, many honourable members and various other gentlemen must have felt extremely dissatisfied and dejected on their recommendations not having been accepted. But, Sir, I would say one thing that the Hon'ble Minister has not acted in this matter all alone. He has invariably consulted the District Magistrates in the case of all recommendations—whether made by District Magistrates, private individuals, honourable members of this House or any other gentlemen. It is only after consulting them and finding that no stigma was attached to the persons recommended that he recommended them for nomination. As far as I know nominations are not made by the Hon'ble Minister, Sir Muhammad Yusuf, in his individual capacity but by the Government as a whole in the transferred departments. The nominations made were Government nominations and the charges, if any, in all fairness, should not be levelled against one particular individual, viz. Nawab Sir Muhammad Yusuf. Instances of a few districts have been quoted. I know, as has been said by several previous speakers, that the majority of District Magistrates are indifferent in this matter; but this is the world—everybody is not indifferent: some are generally keen about their recommendations. So, there are District Magistrates also who are hurt when their recommendations are not given effect to in a particular matter. I would refrain from bringing the name of a particular District

Magistrate in this connexion; but the fact remains as I have just stated. I think, therefore, that the Hon'ble Minister has not committed any fault in the matter of recommending nominations to Government; and if the honourable members of this House are inclined to blame the Government, they are at perfect liberty to do so. But it would not be nice and fair on our part to level such charges against one particular individual.

Rai Rajeshwar Bali: Sir, I have been more or less compelled to take part in this debate, even at this late hour, by the speech of my friend, Khan Bahadur Maulvi Fasih-ud-din, who made a pointed reference to me. I shall take up that point a little later. I may begin by saying that I have heard today's debate with feelings of intense pain, shame and humiliation. These feelings were created in my mind first by the tale which was narrated by the Leader of my party. The facts which he brought out were in connexion with the manner in which nomination to local bodies were made. But this pain and sense of shame became still more when I followed the trend of the debate. What I feel is that this debate is one of the most unfair debates which have ever been held in this House. The House will readily recognize that generally it is no part of ours to stand up and defend the district authorities. But what I have seen is that on the one hand honourable members have stood up, and even stated the facts in a manner which showed that they had the full knowledge of the files—how a certain nomination was proposed by a district authority; how it was sent to the Minister; and on whose request it was done; and so on. I feel that it is very unfair that the district authorities, who have no opportunity to defend themselves, are abused in this way, and that this abuse has come from those who, on the Hon'ble Minister's own admission, have led him to over-ride their recommendations. I am sure that if this debate had taken place in other circumstances, my honourable friends, the Finance Member and the Chief Secretary, would have been the first to stand up—and quite rightly—and defend those district authorities who have been wildly accused on the floor of this House.

Khan Bahadur Maulvi Fasih-ud-din: What have you got to say about the accusation of Badr-ul-Nisa?

***Rai Rajeshwar Bali:** I have said not a word about Badr-ul-Nisa and nobody knew about her till my friend Khan Bahadur Fasih-ud-din Sahib mentioned her name. I am sure that those who spoke about her never spoke about her pointedly. All that they said was that there was a rumour that there has been a case where a public woman was nominated. Who that public woman was and in which district, nobody has mentioned. So I do not think that my friend is right in saying that we have been libelling any individual. However, that is the position.

Khan Bahadur Maulvi Fasih-ud-din: What about the accusation by Thakur Hanuman Singh of your party?

***Rai Rajeshwar Bali:** That is entirely a different thing. I am here discussing the question of nomination, while he is referring to an entirely different matter.

What I feel is that at least those honourable members who have been responsible, on the Minister's own admission, for persuading him to over-ride recommendations of the district authorities should not have felt it necessary to attack them and abuse them right and left.

***Speech not revised by the honourable member**

Rai Rajeshwar Bali.]

Now, Sir, coming to the point at issue, I may inform my honourable friends, who may be thinking that I have stood up to support the district authorities, that this is not so. In many cases I have found that their recommendations have not been proper, in many cases I have found that they have been quite suitable and in some cases I have found that the names suggested by my friends, honourable members of this House, were more suitable than those suggested by the district authorities. I may perhaps inform those honourable members who were not members of the Council in 1925-1926 that it was I who was responsible for the taking away of this power of nomination from the Commissioners and vesting it in the Hon'ble Minister in the case of municipalities. I do not think it would be proper for me to make public those incidents which led to it, but this much should suffice to say that it was with some difficulty that I could persuade the Governor at that time to take away these powers from the Commissioners. At that time I never dreamt that these powers would be abused in this manner. We have to consider as to from what point of view are we to look at this question. Are these nominations to be made as a matter of patronage or are they to be made with a certain definite end in view? It was specifically laid down in the Act that one of these nominees shall be a member of the depressed classes; another shall represent that interest which has failed to get itself represented through the general elections and the third shall be a woman, who generally does not get elected at the general elections. That was the object with which this power of nomination was retained in these Acts. But certainly it was never the intention that this power was to be exercised not in the interests of the people in those areas, not in the interest of the boards, but as a patronage to be exercised by the Government. That is the issue before us. Do we approve of the principle admitted by the Hon'ble Minister in replying to the questions which were put to him the other day that these nominations are meant as a sort of patronage by the Hon'ble Minister to be exercised and to influence the election of chairmen, or that these are only meant to see that those classes which do not get a fair representation otherwise, may get a representation in this manner? That is, I say, the crux of the whole question. If the Hon'ble Minister has approached this question from the point of view of patronage, then there is no reason for surprise that in overriding the recommendations of the district magistrates he has not looked at the qualifications of the candidates who were recommended to him by other than the district authorities, but he is guided only with one consideration and one consideration only, namely, how best he can satisfy the wishes of the members of this House or of any other boards which were fortunate enough to have an approach to him. Now, Sir, this is an absolutely wrong way of looking at the question. His aim should have been to try to secure the best person who was capable of representing that interest for which those nominations were meant, and if he found that on merits the recommendation of the district magistrate was not as good as those suggested by other persons; he certainly should have nominated that other person; but where we find that a district magistrate has recommended a thoroughly qualified, educated and respectable persons, and in their places he has nominated those about whom these things cannot be said, simply on his own conviction and on account of the patronage which he wants to exercise, we do not think that we can support him or can justify his action. I think that

is a plain and simple issue before the House, and I hope that the House will look at it from that point of view. To me it appears that the object of today's debate is this and this alone. So far as nominations are concerned we do not know what will happen at the time when the next government comes into power. These nominations are not going to be repeated for another four or five years; we do not know what will be the constitution of these municipal and district boards; we do not know whether nominations will be retained by the Government or not; but today's debate is of real value in this sense that it clearly demonstrates that this system of nomination should be done away with and that we should no more have any such system, no matter who the Minister is, in which it may be possible for the Minister to abuse his powers and that whenever the Municipalities and District Boards Acts are going to be amended there should be no provision for nominations at all, and that every member of these local bodies should be elected.

My honourable friend, Khan Bahadur Sahib referred to me that when I was in charge of this department the members of the Legislative Council used to approach me in suggesting their own nominations, I am not at all sure that it was so. I was always ready to hear whatever suggestions were made by the various people; in fact I was eager to know them. But that does not mean that I indiscriminately followed what was suggested.

Khan Bahadur Maulvi Fasih-ud-din : On a point of personal explanation, Sir. I never said that he did not consider the merits of each case. I only said that he was justified in doing so.

***Rai Rajeshwar Bali :** Sir, the point is quite clear. That Minister would not be worth his salt who refused to hear the suggestions which were made in the matter of nominations or any other matter from the non-official members of this House or other responsible persons. But it is his duty to judge them on their own merits and their responsibility for taking action is entirely his. Sir, it was really a pathetic scene to see that those people who have always supported the district authorities whenever we made complaints about them, should have today found that when it is a question between their own recommendations and the recommendations of the district authorities their own recommendations should carry more weight with the Minister. Sir, if I found that the Hon'ble Minister has been so strong that he was ready to view the suggestions made by the district authorities with an independent mind, if I found that in 10 out of 100 cases where he disagreed with the recommendations of the Commissioners or the district authorities he was strong enough to take action against their wishes, there would be something to say in his favour. But the whole tragedy lies in the fact that the Minister has taken courage to override the recommendations of district magistrates, perhaps in this matter alone. I do not think we can congratulate ourselves on the debate which has taken place today or can congratulate the speakers who have spoken so enthusiastically in support of the Hon'ble Minister.

Syed Ali Zaheer : I have been trying to understand as to what is the real issue before the House, and I must confess that before the speech of the last honourable member it was absolutely vague and indefinite. Even when the honourable the Leader of the Opposition began by asserting in his opening speech that the Hon'ble Minister committed mistakes inasmuch as he overrode the decision of Commissioners and district authorities, I

*Speech not revised by the honourable member

Syed Ali Zaheer.]

thought I must have been hearing wrong, as it was not a thing which I was expecting to hear from him. If we are to compare the remarks made by him in support of the bureaucratic action with what we have been accustomed to hearing from the same quarters in the past, I am sure some of the contradictions will possibly be more glaring than are to be found in the answers of the Hon'ble Minister to the questions put to him on the subject on the floor of this House. I remember, Sir, some of the perorations of the honourable Leader of the Opposition in which he said that bureaucracy in this country is more or less a curse and a steel-frame under which the country is groaning. But today, Sir, curiously enough in a matter where the competition lay between the recommendations of the honourable members of this House who are supposed to be the representatives of the people, it was asserted and strongly maintained not only by him but also by some of the other members of that Party that the Minister ought to have considered the opinion of the deputy commissioners and Commissioners as more important than that of the members of this Council. Far be it from me to suggest that the opinion of the Commissioners and deputy commissioners should be disregarded in every possible contingency or every possible circumstance, but what I mean is that the people who are saying in one breath that there should be no more nominations and that the power of nominations by the Ministers should be done away with because it has been misused in the past by an Hon'ble Minister, have on the other hand asserted that in the matter of making nominations the opinion of the officers of the Government should be given more weight than that of the public men who represent the particular locality.

Rai Bahadur Thakur Hanuman Singh: "We have to choose between two evils."

Syed Ali Zaheer: I do not think that this is a matter of choice between the two evils. It is a matter which I inferred from the principles enunciated from the quarters to which the honourable member who has interrupted me has the honour to belong. Therefore, Sir, I am glad that the last speaker, the honourable the Deputy Leader of the Opposition Party, has cleared up the situation to a large extent. I need not refer to the speeches made by the other honourable members of the same party about this matter. As far as their speeches are concerned I think they were more in the nature of abuses against the Minister rather than any logical conclusions from any facts, which might have been asserted. Apart from that the point now resolves itself into this as has been put by the honourable Deputy Leader of the Nationalist Party. It is whether the Hon'ble Minister was right in exercising his discretion in the particular manner in which he did. I must say at once that the question of discretion in matters like this is very difficult to judge according to any definite standard. Everyone practically amongst us has got his own rules and judges whether a particular action is right in the circumstance or not. If a number of cases would have been brought forward and in those cases it would have been suggested that the Hon'ble Minister acted wrongly in selecting such a person, it would have been a matter of purely his opinion. One may consider one person to be more suitable and another man may consider another man to be more suitable and it will always remain a matter of degree that a person is more suitable for any particular appointment. The last honourable speaker laid stress upon the word patronage

and he said that this should not be treated as patronage and that a particular interest must be represented upon the municipal and district boards. Now as far as the term patronage is concerned and so far as I understand its meaning, all that it means is favouring a particular individual. I believe, Sir, that so long as the power of nominations is there, it cannot be separated in any circumstance from the term patronage. It must remain a patronage. The question of choice must always remain with the particular authority which has got to nominate and if he exercises that power it must mean patronage to somebody. Here again as far as the question of the exercise of the discretion in favour of one is concerned it is purely a question of choice. The only ground on which an attack like this might have been justified would have been if there had been any violation or disregard of the law on the subject. But the law itself I believe is so vague and indefinite that it gives a wide scope to the Hon'ble Minister to exercise his discretion. I do not think this House is called upon at this stage to give a decision on the question, whether the law which provides for nomination is proper or not. But if the power is there, we have to examine whether in the exercise of that power we can lay down any definite rules beyond what are laid down in the Act itself. Roughly speaking, one seat has got to be given to any particular special interest which has not been elected to the particular board. Now, I have not heard any instances in which it could have been said that there has been any flagrant breach of this rule. True, Sir, that in particular circumstances one member might have preference for one particular man to be nominated and another member for another man. True, Sir, that the man whom the Hon'ble Minister nominated may not be of the liking of all members, but nobody can say that that particular man was nominated in utter disregard of the provisions of law. Similarly in the case of depressed classes, the question arises what are depressed classes. I know of certain cases where I have personally differed from and disagreed with the Hon'ble Minister whether a man whom he wanted to nominate belonged to the depressed classes or not, but that is due to the fact that the word "Scheduled castes" has not been defined properly and we do not know whether the scheduled castes which have been defined in the Government of India Act will include a particular caste or not, what will be the limits and when those limits will be applied. There again I have not heard any instance in which the Hon'ble Minister might be accused of having selected a man who did not belong to the depressed classes and therefore he acted against the provisions of law. So it is a question purely of personal discretion about which no hard and fast rules can be laid down. Lastly comes the case of nomination of women. I have not heard any complaint on the floor of this House that a person who is not a woman has been nominated in place of a woman. If such a case had occurred I suppose it must have been mentioned on the floor of this House. As regards the nomination of the lady member of the Mainpuri Municipal Board, the Hon'ble Minister had the bad luck of nominating a person who happened to be a public woman, but you cannot condemn him for that. As far as I know it is probably one of ourselves, I mean of the members of this Council who probably had preference for that particular lady. True, Sir, there were other ladies who were better qualified than the one nominated by the Hon'ble Minister, but surely that cannot be the ground of a vote of censure against the Hon'ble Minister. In this connexion,

Syed Ali Zaheer.]

Sir, I must protest against observations which have been made on the floor of this House that ladies who are in pardah should not be nominated. I believe Sir, it is well known that many of the ladies who are in pardah are very well educated and very well informed ladies. They are able to fully understand the business of the municipal boards and district boards and they are fully able to participate in the activities of the boards. If for the time being they appear in a *burqa* that is no disqualification and I think that if such ladies are encouraged by being nominated they will prove a valuable asset to the local bodies in future. So, Sir, I must say that as far as that point was raised on the floor of this House, it was not a correct point and I do not think it should have been raised.

Rao Krishna Pal Singh : How is the lady in *burqa* to be identified by the Chairman ?

Syed Ali Zaheer : I think the question of identification might have been of some difficulty in cases where they are required to cast their votes at a general election or anything like that, but after nomination of one particular lady the members of a particular locality are bound to know her. It is a matter, Sir, about which I need not say anything more. I think, therefore that wearing *burqa* should not be a disqualification for these ladies. One point which has been made against *burqa* ladies has been that these ladies who are nominated to these bodies do not participate in the discussions and do not take active interest in the politics of the local bodies. I am sure, Sir, that even in boards like those of Lucknow and Allahabad and other similar big places there are not only one or two members, but more than that who have not uttered a word at meetings for years and still they are returned and some time they make valuable contributions to the activities of local bodies. So the mere fact that a particular person does not take active interest in the politics of a particular local body is no disqualification for such nomination. I believe it always takes some time before a particular member who is newly nominated would get into the know of things, would get into the swing as it were of the working of the board ; and I am sure that in course of time as I have said before, these *burqa* ladies will prove valuable members of the local bodies. When I have said this, I think I have practically met all the points that have been raised by the honourable members of the Nationalist Party against the Hon'ble Minister in this connexion. While I have got the greatest respect for practically all the members of that party, I can assure them that I gave the whole question my deepest consideration, but I thought that the allegations that had been brought forward were so vague and indefinite that it was impossible for me to support a cut motion of this description. I could understand if any particular nomination or any set of nominations have been objected to on any definite ground, when it is only a general and vague allegation that is made in spite of the fact that discretion is given to the Hon'ble Minister and that in the exercise of that discretion he acted in a particular manner I think there is absolutely no case for any vote of censure on the Hon'ble Minister. I therefore must oppose this cut motion.

Rai Sahib Rai Rajeshwari Prasad : Sir, so far I was waiting to hear the point of view of the Government, especially the Minister or the Ministers if both the Ministers are concerned. A suggestion has been made to that effect but I do not know the facts about it. It seems to me that we

must talk one another out on the floor of the House. Although it is very late in the day I am constrained to refer to one or two speeches which have been made earlier. I must begin with the speech of Khan Bahadur Maulvi Fasih-ud-din as he has referred to certain specific cases occurring in the districts and he has referred to the district of Gorakhpur. It gives one a certain amount of surprise to hear the details from the files . . .

Khan Bahadur Maulvi Fasih-ud-din: I learnt from a member himself.

Rai Sahib Rai Rajeshwari Prasad: Taking it for granted that he got the details from certain member, my difficulty was that in the course of his speech the honourable member had refused to hear any interruptions; otherwise my first duty in the course of his speech was to ask him to name that particular member representing Gorakhpur who had conveyed to him all that he had cited today on the floor of the House. I personally was not that member, and I would invite interruption from the honourable member in order to make the position clear, and I would request him to name the particular gentleman who had given him the details that he had recited on the floor of the House today. I do not know whether he will accept the invitation or whether I should proceed with the speech.

A voice: It is a challenge?

Rai Sahib Rai Rajeshwari Prasad: One of my dear friends tells me that it is a challenge. There is no question of a challenge. The whole question was that the House should know as to which person was concerned.

Khan Bahadur Maulvi Fasih-ud-din: Khan Bahadur Syed Zahid Ali Sabzposh.

Rai Sahib Rai Rajeshwari Prasad: That is why I am not repeating this name.

The Hon'ble the President: It is public property.

Rai Sahib Rai Rajeshwari Prasad: In any case I do not like to repeat it. I wanted to make the position clear and my friend helped me in making the position clear.

Khan Bahadur Maulvi Fasih-ud-din: I do not want names to be dragged in.

Rai Sahib Rai Rajeshwari Prasad: It has been urged on the floor of this House that the District Magistrate of Gorakhpur made a certain nomination. He suggested the name of a certain person who ultimately happened to vote for the Congress candidate for the chairmanship of that board. It has also been said by the same honourable member that a certain other name was also suggested by a non-official member of that district, but this recommendation with regard to a certain vakil was not accepted by the Minister and the nomination of the District Magistrate was accepted with the result that we now have to face some sort of a bitter experience for that nomination. I would have hardly referred to this but for the conclusion which has been drawn from this particular incident. The conclusion that Khan Bahadur Maulvi Fasih-ud-din has drawn is that the district magistrates deal with the matter in a slipshod manner. I hold no brief for the district magistrates, or any chairman who is a Congressman and who has got elected to a board . . .

Khan Bahadur Maulvi Fasih-ud-din : On a point of personal explanation. I never meant that on account of the nominated member the Congressman got the chairmanship. I simply said that he gave his vote to the Congress member for chairmanship.

Rai Sahib Rai Rajeshwari Prasad : I will have to refer in greater detail to what the honourable member said. The honourable member said that the district magistrate took an undertaking from this nominated member that he will not cast his vote in favour of a Congressman, but in spite of that undertaking he did cast his vote in favour of a Congressman. If there can be any conclusion from the trend of the argument of the Khan Bahadur it is this, that the district magistrates in the hurry of the moment, or because they want to deal with the matter in a slipshod manner, send up such recommendations which ultimately bring some sort of a bad experience for us. If we were to carry this argument a little further, it can be asked, whether the local Government can be expected to deal with elections in future in such way as to keep out the Congressmen altogether. If this is not to be accepted, then I think that the District Magistrate of Gorakhpur deserves to be spared the criticisms to which he has been subjected. Coming to the Chairman who has been elected I need not assure the members that everybody has an equal chance of being returned as chairman whether he is a Congressman or not. We have to thank ourselves, we have to thank the constitution, which gives us an equal chance of being returned as chairman. That line of argument was the common factor in all the three cases which my friend Mr. Fasih-ud-din urged on the floor of this House.....

Khan Bahadur Maulvi Fasih-ud-din : Not at all. In Budaun and Bareilly it was something else.

Rai Sahib Rai Rajeshwari Prasad : In any case the basis of his argument was that the district magistrate dealt with the question of nomination in a slipshod manner, and this was I think the most outstanding instance given in support of that argument. As my honourable friend says that the cases of Bareilly and Budaun are totally different I leave them for the time being. (*An honourable member:* And Allahabad?) Allahabad did vote for a Congressman, but the case of Allahabad is not here and the same remarks which I have made in connexion with Gorakhpur will apply to that case also. Now Sir, the question that is before us is not whether in general the recommendations of the district magistrates in this matter now happen to be slipshod recommendations . . .

Khan Bahadur Maulvi Fasih-ud-din : I never said so.

Rai Sahib Rai Rajeshwari Prasad : I am not saying that Maulvi Fasih-ud-din made that remark. What I say is that the question for us is not this. The question is not that the district magistrates have now begun to make slipshod recommendations and therefore we should as a rule overlook them. That is not the point we have been arguing. Nor can we argue that as a general rule we should set aside the recommendations of the honourable members of this House and as a rule give preference to the recommendations of the district magistrates. That cannot be argued by any member on this side of the House with any degree of propriety. The whole question is whether the recommendations that are made to the Hon'ble Minister, it may be by the district magistrate or it may be by his own friends—by members of this House, or it may be that the recommendations come to him through representations from outside

bodies, whether all these recommendations which come up to him are weighed in the proper light or not. If the feeling is that recommendations from whichever source they may come have not been properly weighed and that it was a consideration of patronage, as distinguished from the consideration of the merits of the case, which weighed with the Hon'ble Minister, I am constrained to remark that so long complaints on this side of the House are bound to continue. That is the crux of the whole question. My friend Syed Ali Zaheer has said—I have noted down his words—that the power of nomination cannot be separated from patronage. We have to take that remark with a good deal of reservation. I do not think he can mean that the power of nomination means patronage.

Syed Ali Zaheer : Always it does.

Rai Sahib Rai Rajeshwari Prasad : Very well, sir, if power of nomination means patronage, then the least I can say about the proposition is that honourable members on this side of the House will judge this proposition and will look into the consequences which a proposition of this kind will mean. If nominations mean a kind of patronage, irrespective of the merits of the case, then I think, Sir, such power of nomination will not be very much coveted by the Hon'ble Minister himself if he cares for the propriety of things and about the feelings on this side of the House. I said, Sir, that a sentence of this kind has to be taken with a certain amount of reservation. The power of nomination may at times lead one to exercise a certain amount of patronage, but that patronage he has got to base on certain facts, on certain considerations of the case. I do not think the Hon'ble the Minister for Local Self-Government, when he rises from his seat, will say that this power of nomination is nothing more, nothing less than patronage. If he says that, he condemns himself.

Coming now to one or two of the other speeches which have been made on the floor of this House, Raja Jagannath Bakhsh Singh, Pandit Joti Prasad Upadhyaya and my friend Pandit Shri Sadayatan Pande from Mirzapur have made speeches which suggest that the issue now is more or less an issue of no-confidence. There is no such issue before us. The Raja Sahib made a very serious attempt to impress upon us that we are dealing with a motion which has very serious consequences. Sir, even the Leader of the Opposition made it plain at the beginning and also towards the end of his speech that the intention of this motion is to impress upon the House and to draw the attention of Government to a certain feeling that exists in the public of this province that in the matter of nominations more patronage has been exercised than discretion. One or two other matters of detail with regard to the nominations have also been raised. It has been argued that as long as we cannot point out any particular mistake in any particular nomination, so long we are out of court. It has been suggested that we should have pointed out some mistake, something objectionable in connexion with the nomination, say, of any special interest. A few days ago I put some supplementary questions on this very matter of representation of special interest by nomination. The questions, if I can recollect, related to the district of Saharanpur. They were tabled in the name of a friend of mine, Mr. Moti Lal Bhargava, and I had the honour to put certain supplementary questions. In spite of

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my attempts I may repeat on the floor of this House safely that the words "special interest" as far as the nomination to that local body was concerned, could not be made clear by the Hon'ble Minister. He said that he wanted further time and that the special interest was the special interest named in the Act. After all, that special interest must have a name and it is very difficult for any one to ventilate this except by means of a cut motion such as is now under discussion. We have also found that a special interest which is already represented on the boards has been doubly represented by means of nomination. I venture to think that these two matters by themselves, i.e. the absence of any particular special interest which must be represented on the board because it is not already represented and the fact that in certain cases an interest which has already been represented has got double representation by means of nomination—these are matters which I do think this House has a right to discuss and it cannot be urged that we are discussing only vague and general allegations and that we have not come to any definite facts.

Certain questions with regard to ladies in *burqa* have also been raised. As far as that matter is concerned, if my honourable Muslim friends feel that ladies in *burqa* should attend meetings, there is nothing wrong about it and that they can participate in the business. I have not much grievance against that but I have known of cases in which ladies in *burqa* have not attended even one or two meetings after the meeting held for the election of the chairman. Such cases have come to my notice.

Syed Ali Zaheer : It is the Commissioner's business to get them excluded.

Rai Sahib Rai Rajeshwari Prasad : My friend says that it is the Commissioner's business to get them excluded. If at the stage of nomination when we are trying to prevent the nomination of persons who may not be actively participating in the affairs of the board, there is this amount of difficulty, I do not know what difficulties we shall have to contend with when it comes to the question of excluding a certain lady or a certain gentleman who has been on the board for some time already. There is a special provision in the Act but we all know what it is to exclude a person who is a nominated person.

The crux of the question to my mind is whether in the different recommendations which the Hon'ble Minister has to deal with he applies patronage in its commonly accepted sense more than he applies the principle of judging the merits of the case. Of course if we come to the conclusion or if we agree with the proposition that the power of nomination itself means patronage, it means nothing more nor less, then I have nothing to say.

The Hon'ble the Minister for Local Self-Government : Sir, I am grateful to the honourable members who have spoken on this motion and have supported me. My task is considerably lightened by the fact that this motion has been discussed almost threadbare and that there is a general feeling in this House that practically there is very little to discuss.

Now, coming to the speech of my friend, the Leader of the Opposition, I am bound to say that like a clever Parliamentarian he put his case gingerly and deftly, suppressing a fact here, exaggerating a fact there, passing sweeping remarks, twisting the meaning of certain expressions to his best advantage and then making an appeal—"Here is a culprit who has brought Government into contempt; here is a man who has acted in a most scandalous manner; and therefore, we should really turn him out because he is not fit to enjoy the confidence of the House." I forgive him for the heat which he has imported in his speech. I know that my friend always does it to put his case in the strongest possible way. He is carried away by his own emotions. He is carried away by his own language. He is carried away by his very style of putting things in very strong terms. But when we examine the merits of the case, we always find that there is nothing there but verbosity—a flamboyant speech, full of virulence and nothing beyond that. I cannot but congratulate him on his excellent speech. No opponent of mine could have put forward a more insidious case against me. But I am glad that the House does realize that it is all a put up case, that it is all a built up case—a case that cannot stand the test of real examination.

I would now turn to some of his arguments. He read some of the answers given by me to the questions put in the House, and then he said that the Minister had said in connexion with the conduct of the local authorities that generally they must be interested. He further said that it is very curious indeed that the Minister, while in some cases not accepting the recommendations of the local authorities, comes forward and says that they must be interested. Torn from the context no doubt it would appear a ridiculous statement to make in an answer, but read with the context it is absolutely clear what its full meaning is. What I am bound to say is that the district authorities always have to watch very closely what happens in the local boards and as to who are going to be at the helm of the affairs. If the district authorities were not to do this, they would not be performing their duties and responsibilities. But of course they are not expected to interfere. The instructions are there. No district officer, as far as I am aware, has interfered in any way. I do not say that there may not have been mistakes, that there may not have been errors of judgment, and that there may not have been cases where there may have been misunderstandings. As has been pointed out again and again in the course of the debate today, to err is human. I am bound to say that so far as the district authorities are concerned, while it is their duty to watch the activities of the local boards and even the election of chairmen, they should not interfere. I am glad that my friend, the Leader of the Opposition, has completely changed his tactics today. Until yesterday I felt that he would attack the local authorities vehemently, and would say that there had been interference all round, and that this was very desirable in the interest of Local Self-Government. But today he has completely changed his front and has felt that it would be a good thing to take up cudgels on behalf of the local authorities, just to show to the people on the official benches here and elsewhere that occasionally he can come forward and take up the cause of the bureaucracy. I congratulate him on this. I am delighted that he has come forward to take up cudgels on behalf of local authorities. I assure him that I highly appreciate this attitude of his. I also congratulate my friend, the

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Deputy Leader of the Opposition who took a similar attitude. But after all it is simply a method of attacking me, nothing more than that. He felt that this was a good opportunity for placing me in the wrong in the eyes of the local authorities as well as in the eyes of the Government. It is in these circumstances that he came forward with these allegations. The Deputy Leader has said that he should take credit for having taken away the power of nomination from the Commissioner; that he has often differed from local authorities, and that it is only right that the Minister should differ from them. Yet he says "Here is the Minister who has been too freely bestowing patronage." Who is to judge as to whom the nomination should be given? Obviously the Minister. What are the methods to be adopted by the Minister? That is for him to decide. It is purely a matter of judgment as to who should be given a preference. If I had accepted his nomination, he would have said "How wonderful".

Rai Rajeshwar Bali: I have never requested the Hon'ble Minister to consider my nomination.

The Hon'ble the Minister for Local Self-Government: But because a nomination has been made by me, according to my judgment it is a sin: it is so heinous that anybody who is deeply interested in the welfare of Local Self-Government must deprecate. The Leader of the Opposition has asked me about the resignation of the lady who has offered her resignation. He must have been feeling happy that probably I shall get up and say that that lady had resigned because she was a public woman. I assure the House that not a single public woman has been nominated. At least my friend ought to have given me the credit of trusting members of this House that when they make a recommendation, and say that it is their responsibility, they do put forward a recommendation which is a desirable recommendation, which is an acceptable recommendation, and a recommendation which must be accepted by the Minister in preference to the one made by local authorities. Then, again my friend says that I have replied, in a most ridiculous manner by saying "that there is no question of propriety". He proceeded to argue that a man who simply feels that he must exercise his discretion in an unfettered manner is no man at all. Well, I used this expression in connexion with a particular matter. My friend Mr. Saksena put the question as to "Whether the Hon'ble Minister nominated those who had not paid municipal or district board dues, or those whose names were not on the electoral roll". My reply was that the Act did not say anything about it and I was absolutely free to nominate anybody whom I thought suitable and fit to serve the best interests of the board. Now, here is the case of my friend Thakur Keshava Chandra Singh. His name has been removed from the roll. It is for my friends on the opposition benches to say whether he is a fit person to be nominated or not. I believe they will readily agree that he is the right person to be nominated. That applies to everybody outside this House provided he is a suitable person. If a man is suitable, there is no reason why simply because of some misfortune or due to some mistake a man has not been able to pay his dues, or his name is not on the electoral roll, he should be precluded from being nominated. There is no question of impropriety there at all. As a matter of fact, if there is a desirable person, whose presence on the board will be to the best interests of

the board, he should be nominated, whether his name is on the electoral roll or not and whether he has paid his dues or not.

Then my friend went on to say further that these nominations have brought the Government into contempt. Well, I know my friend is always ready to claim infallibility. Let me hope that he is all honour to him. But I being a humble mortal, I say that I am not infallible. It is just possible that somewhere some mistake might have been made, but I do say that in almost all cases things have gone right and the right type of persons have been nominated in the best interests of the boards. I am thoroughly satisfied with the results obtained by these nominations. I am sure the working of the boards will be carried on efficiently and harmoniously, because I feel that right type of men are at the helms of affairs of the boards.

I must thank my friend, Mr. Brijnandan Lal, for giving me the certificate that I am not a communalist and I assure him that I highly appreciate his opinion. But he proceeded to say that so far as "this question of nomination is concerned, the Hon'ble Minister has not made these nominations on the basis of any principle, that some principle ought to have been laid down and that the discretion he has exercised has been wrongly exercised". Well, that may be the view of my friend over there, but I am positive that almost the whole House does feel that I have exercised discretion in a reasonable and just manner. Where there is a discretion, the question of laying down a definite principle of nomination does not arise at all. These nominations have got to be made in accordance with the law laid down, but the discretion of the Minister as to who should be nominated in the best interests of the board, in consultation with the local authorities even in cases where he has to differ with them, must remain unfettered. This is the only method by which we can safeguard the best interests of the public as well as the boards.

Now, my friend the Deputy Leader of the Opposition made much of the word "patronage" that I used in my answers. I did not mean an unfettered patronage without taking into account the law. It is always subject to the law laid down. But after all, as has already been said by my friend the member from Lucknow, that it is a patronage, there is nothing to be alarmed at, so long as that patronage has been exercised in a manner which is calculated to serve the best interests of the board and will lead to the efficient and smooth working of the board. I do not think that I shall be justified in detaining the House in meeting the points raised by some honourable members against me. They have been sufficiently met by the honourable members, who have already spoken and I express my gratitude to them for having dealt with them exhaustively and having given their clear verdict in their speeches. I must say that I feel that, so far as the recommendations of the local authorities are concerned, they must necessarily be given due weight, and in the majority of cases I have accepted their recommendations. I have differed only where I felt that I must necessarily differ. What is even more, I do feel that I must make a protest against some of the allegations that were made by some honourable members against the local authorities, because I do feel that those allegations, as I have said before, will be probably a case of a mistake or misunderstanding, and let me hope that the honourable members will take it in that light. The position of a district magistrate is very difficult indeed, his actions are likely to be misinterpreted and misunderstood. Therefore, I hope that if anywhere a mistake has been committed

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or if anywhere the local authorities have somehow or other committed an error to judgment, they will be inclined to forgive them and will not be inclined at all to pursue the matter further. Really if they have got the interests of the boards at heart, they must realize that the co-operation of the local authorities is very necessary for the happy and smooth working of the boards.

With these words I strongly oppose the motion made by the Leader of the Opposition.

***Mr. C. Y. Chintamani:** Mr. President, due to the lateness of the hour and the number of speeches that have been made on one side or the other, I propose to be as brief as I can be consistently with justice to my side of the case. The Hon'ble Minister has said that the debate has clearly shown that the whole House was on his side. Well, Sir, after I made the motion there have been sixteen speeches including the Hon'ble Minister's. Of the fifteen members, excluding the Hon'ble Minister and myself, who took part in the debate, six supported the motion wholeheartedly and without reservation. Eight spoke against it and of these eight, two honourable members took the ground that on general public ground, or on broader ground, as they put it, they desired that this discussion should not be proceeded with and did not utter one word, so far as I see, which was a vindication of the action of the Minister in making these nominations. One of those two honourable members, my honourable friend, the Leader of the Independent Party, took the ground that some time ago this House unanimously voted higher salaries for the present Ministers and therefore it did not behove them today to pursue this motion, the success of which might mean the enforced resignation of the Ministers. In the first place, I have to point out that the object of the voting of higher salaries, as stated by the honourable member who made the motion last year, Mr. Ali Zaheer, and the other speakers who followed him was that Ministers should in actual fact be placed on an equal footing with the honourable members of the Executive Council, that it was to their credit that they had voluntarily surrendered a part of their salary for a number of years, that at that time the cut in the salary of the all-India officers as well as of the Provincial Service officers was fully restored and that there was no reason why these two gentlemen, the Ministers, should be singled out and be called upon to make a sacrifice. That was the reason and the issue before the House was not what the House thought of the Minister's policy. My second answer is, as I stated in making the motion, that my object was to call attention to the improper manner in which the Minister for Local Self-Government has exercised his right of making nominations to district and municipal boards. If my object had been to bring about the resignation of Ministers due to joint responsibility in case this motion had secured the majority of votes, I would clearly have stated not to call attention to but to utter a strong disapproval or condemnation of. The Hon'ble the President, if he chooses, can tell the House that I handed this in writing to him, even before I stood up to make my motion, that the object was to call attention. Therefore the grave consequences which the Leader of the Independent Party feared might follow the success of the motion would not at all follow.

Now I come to some of the points made by the honourable speakers who took a view different from mine. I will omit any references to

*** Speech not revised by the honourable member.**

those points which arose in the speeches of honourable members who followed me in support of the motion. I will limit myself, due to exigencies of time, to points which had been made by me and to which honourable members who disagreed with me deemed it their duty to reply. That is why I will say nothing on Shaikh Muhammad Habibullah's reference to what he supposed was the antagonism of the middle class to Nawabs and Rajahs. I will pass on to his next point, the attitude of non-official members to district officers, a point reinforced . . .

Raja Jagannath Bakhsh Singh : On a point of personal explanation, Sir, I admit I came a little late, after the honourable member had started his speech, and I did not listen to the sentence which he has just read out, but only from the speeches that have been made I heard the remarks "thrown out," "kicked out" and like that, and thought that it was surely a censure motion.

***Mr. C. Y. Chintamani :** A point that was reinforced by the honourable member for Bijnor and taken up by several other speakers subsequently, including Khan Bahadur Maulvi Fasih-ud-din and Mr. Ali Zaheer. What was wrong in what I said about district officers? What was there in what I said that was inconsistent with anything that I had previously said? Did I utter one word in my speech by way of blame of the Hon'ble Minister for not following the recommendations of district officers? Honourable members who thought that I did were apparently confused for the reason that I was quoting at length from the official transcript of the supplementary questions and the answers thereto, and that further the opinions of honourable members who put supplementary question implied in those questions or the opinions of the Hon'ble Minister who gave answers to those questions were my opinions. Not only did I not say one word which expressly or by implication would be interpreted as a blame on the Hon'ble Minister for not accepting these recommendations, but on the contrary when I quoted the Hon'ble Minister's statement that the position was that the district officers were to make recommendations and it was entirely within the discretion of Government to accept or reject those recommendations, I made the comment that that was a perfectly sound statement of the legal position. The criticism of the action of the Hon'ble Minister so far as I am concerned and so far as I am sure my honourable friend Rai Rajeshwar Bali was concerned is not that he exercised independent judgment and did not blindly accept the recommendations of district officers, but that the manner in which he exercised his judgment or discretion, whatever you may call it, was highly improper and that the result was utterly unsatisfactory and that the purpose for which these nominations were reserved in the municipal and district boards was not fulfilled by the manner in which that power had been exercised by the Minister. To that position I adhere without reservation or qualification. We have been told that the honourable members with whom I have the honour to act in this House and myself are the constant critics of district officers and yet today it was a surprise to them that we spoke as their defenders and criticized the Hon'ble Minister. What is our position with regard to district officers? We admire their ability; we admire their devotion to duty; we admire their industry. But we criticize them for the reason that they pay very insufficient regard to

**Speech not revised by the honourable member.*

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Indian opinion, that they are not sufficiently in touch with the intelligent and progressive Indian opinion. I repeat it and I shall repeat it hundred times. Shaikh Muhammad Habibullah next referred to the popularity of the Hon'ble the Minister for Local Self Government with Secretaries and the heads of departments. He may have sources of information. He may have access to the sources of information not open to mere mortals like me and I will not undertake either to confirm or to contradict his statement as to the opinion which Secretaries and heads of departments hold of the Hon'ble Minister. I hope, however, that they will not be called upon publicly to state that opinion lest it offend either the modesty of the Hon'ble Minister or his pride.

Shaikh Muhammad Habibullah : Or the previous Ministers.

Mr. C. Y. Chintamani : What have you to do with the previous Ministers here?

Shaikh Muhammad Habibullah : The opinions of Secretaries or heads of departments.

Mr. C. Y. Chintamani : Sir, the opinion that is held by Secretaries; to Government and the heads of departments of the present Ministers or the previous Ministers has got nothing whatsoever today with the discussion we are carrying on. I do not know whether Shaikh Muhammad Habibullah has got a diary of the opinion which every Secretary or head of department, who has held office since 1921, has held of everyone who held office as Minister and tabulated the results. I do not understand his point at all.

Shaikh Muhammad Habibullah : Opinions which . . .

Mr. C. Y. Chintamani , Sir, I shall not give way to these interruptions. Then, Sir, he referred to the Minister's school of thought or his school of politics. I wish there were any school of thought or school of politics into which the Minister could be put. I would not say more than that. The honourable member for Bijoor mentioned the inconsistency between criticism of the Minister for not accepting the recommendations of district officers and criticism of district officers for interference with free elections either by or to local bodies. The action of district officers in connexion with elections has nothing whatsoever to do with this motion. I never mentioned that point. As a matter of fact it forms the subject of a subsequent motion standing in my name. Therefore I need not anticipate myself.

Sir, I pass over all that has been said by Khan Bahadur Maulvi Fasih-ud-din. There is really no new point in his speech, and in so far as there might have been any point calling for attention, it has been met by my colleagues who spoke after he did. I will now come to the principal speech in opposition to the motion, that of the Hon'ble the Minister for Local Self-Government. I must begin by an expression of humble, profound, deep gratitude to him. Sir, the first of the virtues inculcated upon you and me and others who profess our religion is gratitude to those who do good to us, and when the Hon'ble Minister in the plenitude of his generosity and charity could so far forget his official position, his rare eminence as to be able to forgive me and publicly to say that he forgave me, what more could be expected, what less could be expected of one who should be grateful than to utter

profound salutations to him. Only I am an ingrate as English education has spoilt me as it has spoilt so many other Hindus who would have been good Hindus in the absence of that education. English education has brought me into politics, and one lesson that Englishmen have taught me is that in politics he would be a fool who would be too ready to express gratitude and to take words at their face value, and therefore leaving aside the Brahmin in me and bringing to the fore the politician in me, I reject, and reject almost with scorn, the forgiveness which he has in his abounding generosity extended to me. There is such a thing, as Shakespeare said, as insolence of office and it may sometimes take the turn of extending forgiveness to people who are not in need of such forgiveness, who do not ask for it, and who reject it when it is offered to them unasked. Then, Sir, he said that in my speech I have been carried away by my own verbosity and by my emotion. Unfortunately for the Hon'ble Minister, three-fourths of the verbosity of my speech lay in the recital of the answers which he gave the other day. If any one were to be so inquisitive as to count the number of words of the speech which I made in making this motion before the House, the number of words which were my own and the number of words which were the Hon'ble Minister's in the various answers which he gave, he would find that a respectable proportion at least of what might pass for that verbosity must be laid to the credit of the Hon'ble Minister. And, Sir, what about the Hon'ble Minister's own speech? I have read somewhere that it is one of the arts that Ministers attempt to cultivate to make speeches and to give answers which appear to be giving information, but which give no information; which say a great deal but which say nothing; which give replies but which contain to answers. In the speech which the Hon'ble Minister made a few minutes ago was any member able to discover any serious attempts at an answer to any of the serious points I raised in the speech I made earlier in the day on the basis of the replies which he gave two or three days ago? If any honourable member can detect in his statement any serious answer to any of the accusations made against his nominations I shall congratulate him. Therefore, Sir, there was much more verbosity in what the Hon'ble Minister has said having regard to the real contents of his speech than in mine and there was much more emotion in his speech in the interests of self-preservation, than there was in mine. What was I to gain by emotion? What was I to lose by my emotion? I am not an aspirant for his place. The composition of the House belies such an idea even if I were an aspirant for his place. I must be an idiot to think that I can take his place in the present House.

Then Sir, the Hon'ble Minister described the case I developed as a "put up case." Yes; put up by whom? Put up by the Hon'ble Minister for Local Self-Government. He was the author of the case. He was the parent, father and mother rolled into one. He was also the wet nurse; for he developed the case two or three days ago when these supplementary questions were put to him and he came out with the typical Yusufian answers to those questions. It was a put up case, put up by the Hon'ble Minister.

He has made a categorical statement, which was readily received with applause, namely, that not a single public woman has been nominated. I was very glad to hear that statement. I am only sorry that if he was so positive with regard to that he should not have said it before,

Mr. C. Y. Chintamani.]

Why did he in answer to supplementary questions made evasive statements which at the least lent themselves to a different construction? He could have got up that day and said in reply to Mr. Ram Bahadur Saksena and other members, that not a single public woman had been nominated. He admitted that trivial mistakes might have been made. It is true that mistakes had been made; whether they were trivial or not is a matter of opinion, and my opinion, and the opinion of those who think with me is that the mistakes were not trivial but serious, and in some cases grave and the consequences were not salutary to the cause of Local Self-Government in the United Provinces and that the author of those mistakes should be told in plain language that he had made such grave mistakes and that he should not be allowed to repeat such mistakes.

The Hon'ble Minister said that until yesterday he thought that I would attack the local authorities. I do not know why he should have thought so. Did I ever tell him that I would attack the local authorities? When first his agent the Publicity Officer and afterwards the Deputy Secretary in the General Department asked me what would be the subject-matter of the discussion that was to be raised under cover of this motion did I tell either of them that my intention was to attack the local authorities? Mr. Frampton is here, and let him contradict my statement that I told him that the issue that I would raise would be the nominations to local bodies. If the Hon'ble Minister, carried away by his emotion thinks that I wanted to do something which I never had the intention of doing, which I never told him I would do and which he had no business to think that I would do, the fault is not mine.

In regard to the nominations made by him in the Jalaun district this slip has been handed to me by Rai Sahib Babu Kamta Nath Saksena and I read it:

"Before the Hon'ble Minister nominated the father of an elected member to the Orai Municipal Board and the wife of the assessing officer of the district board to the district board I brought both these facts to his notice by means of a registered letter addressed to him."

So the Hon'ble Minister was not correct, when he said in reply to a supplementary question that he knew these facts subsequently.

There is nothing more to be said. I am sorry that a motion that I thought may be disposed of much quicker has consumed the whole day, one of the two days available to us for a discussion of a number of subjects the most important of which is General Administration. On this circumstance I offer my congratulation to the Hon'ble the Finance Member who has escaped the obligation of making a number of speeches on a number of subjects, which otherwise he would have had to do. It is true that he has been pinned to his seat the whole of the afternoon, but the files are before him and I think he has not lost the whole day.

My object in raising this debate, as I said a few minutes ago, was to call attention to the improper manner in which the Minister was exercising his power. I have achieved that object. I do not wish to ask the head of the Minister on a charger. But whatever satisfaction the Minister may pretend to have derived from these facts I think the

exposure that has been made is sufficient for any one who is sensitive to these criticisms. I have nothing more to say. I do not wish anything more to be done on this motion.

The Hon'ble the President : Is it the wish of the House that the motion be withdrawn?

The motion was, by leave, withdrawn.

(The Council then adjourned at 4.50 p.m. till the following day.)

APPENDIX A

(See page 200, *supra*)

Statement referred to in the answer to starred question no. 14 for March 19, 1936, showing the number of dacoities tahsilwise, committed within the Jalaun District during the decennium ending with 1935.

Year	Orai	Konch	Kalpi	Jalaun	Total
1926	3	4	5	4	16
1927	1	6	2	7	16
1928	nil	4	1	nil	5
1929	nil	1	nil	4	5
1930	nil	4	1	5	10
1931	1	5	nil	6	12
1932	nil	6	1	2	9
1933	nil	6	nil	11	17
1934	1	4	3	6	14
1935	nil	5	nil	3	8
					<hr/> 112 <hr/>

APPENDIX B

(See page 201, supra)

statement referred to in the answer to part (c) of starred question no. 18 for March 19, 1936, showing the names and addresses of the persons whose houses were searched on February 5, 1936.

Agra

1. Raghuvendrachariya, Kishore Bhawan, Civil Lines, Agra.
2. Krishna Swami alias Sri Krishan Swami, First Assistant, Modern English School, Chhili-Int, Agra.
3. Probodh Kumar Sharma, Student, Second Year, Medical School, Agra.

Allahabad

1. Brij Kishore Malaviya, son of Basdeo Malaviya of Loknath, Bharti Bhawan, Allahabad.
2. Harash Deo Malaviya, son of Moolchand Malaviya, Bharti Bhawan, Allahabad.
3. Mahabir Prasad Bunga, son of Kali Prasad, resident of Sehrara Bagh, Allahabad.
4. Kashi Nath Jaiswal, son of Madho Prasad Jaiswal of Muthiganj.
5. Bhagwati Prasad Srivastava, son of Jagpakar, Kydganj, Allahabad.
6. Ramesh Chandra Sinha, son of Ajodhia Prasad Sinha, 145 Kydganj, Allahabad.
7. Madan Mohan Misra, son of Chandra Nath Misra, resident of Bhata-Kalan, district Rae Bareilly, at present Karanpur, Allahabad.
8. B. N. Sanyal, Laxmi Hotel, Allahabad.

Benares

1. Onkar Nath Varma, Kashi Vidyapith, Benares.
2. Rustonji Sateen, Benares Hindu University.
3. Krishna Swami Reddi, Kashi Vidyapith, Benares.
4. Basdeo Chatterji, 229 Oudhgarbi, Benares.
5. Bhaskar Narain Nachue, Kashi Vidyapith.
6. Sri Krishna Dass Sharma, Benares Hindu University.
7. Saroj Chandra Mehr, Benares Hindu University.
8. Sheo Murti, Englishia Line, Benares.
9. Office of the Rashtriya Yuvak Sangh, Benares.

Lucknow

1. Ashotosh Ganguli, 301 Makboolganj, Lucknow.
2. Ram Prasad, Mohalla Maqboolganj, Lucknow
3. Babolal Verma, Lucknow.
4. Gopi Krishna Arora, Lucknow.
5. B. K. Mukerjee, Lucknow.

Cawnpore

1. Jagannath, son of Matia Pashi of Gwaltoli, police station Colonelganj, Cawnpore.
2. Bhagwati Prasad, son of Ajodhia Prasad, Anwarganj.
3. Nathoo, son of Mangal Khan, Pathan, Chamamanganj, police station Sesamau, Cawnpore.
4. Ram Narain, Vaid, son of Mollechand, Anand Bagh.
5. Bholey Khan, son of Jabba Khan, Pathan, police station Sesamau, Cawnpore.
6. Jagdish Prasad, resident of Chunniganj, Cawnpore.
7. Dr. Chiranjilal, son of Khubchand, Gararia, Sitaram Mohal, police station Collectorganj, Cawnpore.
8. Sher Khan, son of Nabi Sher Khan, Pathan, of Nasimabagh, Cawnpore.
9. Ram Autar, care of Messrs. Dwarika Prasad Piarey Lal, Cooperganj, Cawnpore.
10. Raghunath Singh, son of Kishori Singh, Thakur, of Ahata Jivanlal, police station Sesamau.
11. Laxmi Narain, Seth, son of Bithan Lal, Khattri, no. 43/93 Dhobimohalla, police station Kotwali.
12. Madan Gopal, son of Mako, Brahman of Juhi-Kalan, police station Anwarganj.
13. Muhammad Akbar Ali, son of Haider Husain, Nasirabagh, police station Colonelganj, Cawnpore.
14. Udai Narain, resident of Anandbagh, Cawnpore.
15. Suraj Balli, son of Jwala, Gwaltoli, police station Colonelganj, Cawnpore.
16. Sankta Singh, son of Mahadeo Prasad, Mohalla Kashinagar, police station Sesamau, Cawnpore.
17. Arjun Prasad, Arora, son of Narain Prasad, Arora of Patkapur, police station Kotwali, Cawnpore.
18. Ram Dularey Trivedi, son of Rameshawar, resident of Purani Dalmandi, Nachghar, police station Collectorganj.
19. Mithoolal, son of Kanahayalal, no. 14/19 Juhi-Kalan.

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Friday, 20th March, 1933

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (91)

The Hon'ble Mr. J. M. Clay.	Mr. Bhondu Ram.
The Hon'ble Kunwar Sir Maharaj Singh.	Rai Govind Chandra.
The Hon'ble Nawab Sir Muhammad Yusuf.	Pandit Shri Sadayatan Pande.
The Hon'ble Sir Jwala P. Srivastava.	Raja Sri Krishna Dutt Dube.
Mr. H. Bomford.	Rai Bahadur Babu Jagadeva Roy.
Mr. J. L. Sathe.	Mr. Dahari.
Mr. A. B. Reid.	Rai Sahib Rai Rajeshwari Prasad.
Mr. P. M. Kharegat.	Thakur Giriraj Singh.
Mr. A. A. Waugh.	Pandit Prem Ballabh Belwal.
Rai Bahadur Mr. Phul Chand Mogha.	Thakur Jang Bahadur Singh Bisht.
Rai Bahadur Chhuttan Lal.	Pandit Brahma Dutt Bajpai.
Mr. H. J. Frampton.	Rai Bahadur Thakur Hanuman Singh.
Mr. C. W. Gwynne.	Rai Bahadur Lal Sheo Pratap Singh.
Mr. Himmat Singh K. Maheshari.	Thakur Muneshwar Bakhsh Singh.
Khan Bahadur Munshi Mushtaq Ali Khan.	Raja Birendra Bikram Singh.
Mr. Pratap Shankar.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Rai Bahadur Ram Babu Saxena.	Mr. C. Y. Chintamani.
Mr. D. L. Drake-Brockman.	Rai Rajeshwar Bali.
Mr. A. C. Turner.	Mr. Zahur Ahmad.
Mr. R. A. Horton.	Syed Ali Zaheer.
Lady Kailash Srivastava.	Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Khan Bahadur Maulvi Fasih-ud-din.	Syed Yusuf Ali.
Mr. E. Ahmad Shah.	Khan Bahadur Shah Nazar Husain.
Rai Sahib Babu Rama Charana.	Nawabzada Muhammad Liaquat Ali Khan.
Mr. Perma.	Mr. Muhammad Rahmat Khan.
Chaudhri Ram Dayal.	Khan Bahadur Muhammad Hadiyar Khan.
Chaudhri Jagannath.	Khan Bahadur Saiyid Zahid Ali Sabzposh.
Chaudhri Baldeva.	Khan Bahadur Hafiz Ghazanfarullah.
Rai Bahadur Sahu Jwala Saran Kothiwala.	Khan Bahadur Saiyid Jafer Hosain.
Mr. Tappu Ram.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Ram Chandra.	Khan Bahadur Sirdar Muhammad Shakirdad Khan.
Chaudhri Ghasita.	Khan Sahib Muhammad Imtiaz Ahmad.
Chaudhri Arjuna Singh.	Shaikh Muhammad Habib-ullah.
Rao Sahib Thakur Shiva Dhyan Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Rai Bahadur Kunwar Girwar Singh.	Raja Saiyid Muhammad Mehdi.
Pandit Joti Prasad Upadhyaya.	Mr. L. M. Medley.
Chaudhri Dhirya Singh.	Rai Bahadur Lala Anand Sarup.
Rao Krishna Pal Singh.	Rai Bahadur Lala Bihari Lal.
Rai Bahadur Kunwar Dhakan Lal.	Chaudhri Muhammad Ali.
Thakur Balwant Singh Gahlot.	Rai Bahadur Lala Prag Narayan.
Rai Bahadur Mr. Brij Lal Badhwar.	Raja Bisheshwar Dayal Seth.
Rao Bahadur Kunwar Sardar Singh.	Raja Jagannath Bakhsh Singh.
Rai Bahadur Babu Manmohan Sahai.	Rai Bahadur Vikramajit Singh.
Kunwar Jagbhan Singh.	Munshi Gajadhar Prasad.
Thakur Keshava Chandra Singh.	
Mr. Brijnandan Lal.	
Rai Sahib Ram Adhin.	

QUESTION AND ANSWER

STARRED QUESTION

BENEFITS OF PROVIDENT FUND TO TEACHERS

O.no. Date *1. Pandit Joti Prasad Upadhyaya (*absent*) : Will the Government
 *38 22-11-'33 please give the total number of such teachers (employed by local bodies
 (b) in various districts) to whom the benefits of the Provident Fund are
 *9 26-2-'33 extended ?
 *4 19-3-'36

The Hon'ble the Minister for Local Self-Government (Sir Jwala P. Srivastava) : The information is being collected.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS FOR GRANTS—(*continued*)

Grant No. 14. 22—General Administration

Thakur Muneshwar Bakhsh Singh : Sir, I beg to move that under sub-head Head of Province, Executive Council and Ministers—Total, a reduction of Re.1 be made.

Sir, the matter which I wish to bring to the notice of Government is very important. The object of my motion is to impress upon the Government the necessity of issuing a notification in the *Gazette* under section 4(2) of the Encumbered Estates Act, to extend the period of making applications under that Act by a further period of six months. Sir, if I refer to the United Provinces Encumbered Estates Act, section 1 lays down in sub-section (3) (a) that this Chapter and Chapter III shall come into force from such date as may be notified in the *Gazette* by the Local Government in that behalf. A notification was issued by the Government, and this Chapter and Chapter III came into operation on 30th April, 1935. Then if I refer to section 4 of the same Act, it is stated in sub-clause (1) that at any time within one year after the date on which this Chapter comes into force any landlord who is subject to or whose immovable, etc. etc. may make an application in writing to the Collector of the district in which the land is situated, etc. etc. So the period for making applications under that Act is only one year and as the Act came into force on the 30th of April, the period for making applications is to expire on the 29th April, 1936. Then there is sub-section (2) of section 4 in which it is provided that the Local Government may by notification in the *Gazette* extend the time prescribed for making applications under this section by a further period of six months. The object of my motion is that Government should by notification in the *Gazette* extend the time for making applications for a further period of six months as provided under sub-section (2) of section 4. Sir, if I look to sub-section (3) of the same section, i.e. section 4, then I find that if within three months after the date on which Chapter III of this Act comes into force a landlord has applied for amendment of a decree under the provisions

of the United Provinces Agriculturists' Relief Act, 1934, the period from the date of his application to the date of the final disposal thereof shall be excluded from the period within which he may make an application under sub-sections (1) and (2) of this section. As a matter of fact, this concession was allowed to the agriculturist who wants to avail himself of the provisions of the Agriculturists' Relief Act and then come under this Act. Sir, there was an amendment, when this Act was under discussion, moved by me, and the amendment was that the provisions of the Agriculturists' Relief Act shall also apply to the proceedings under the Encumbered Estates Act. That amendment was withdrawn on the assurance of Government that they will make provision for the same at a suitable place. After that the Government modified their assurance and they thought that they should extend the provisions of the Agriculturists' Relief Act only to those cases in which the decrees have been passed. And for that purpose this sub-section was added. The ground on which the Government rejected its application to other suits or new suits was that the time that these suits will take will be an unlimited one. There will be a first appeal and there will be a second appeal and so on. The time that will be involved in such proceedings will be too long and there will be no certainty as to for how long the operation of this Act will be extended. That was one reason why the Government did not accept that.

Now, Sir, from section 4(3) it appears that only those agriculturists who have made applications within the period can avail themselves of the extension of time for giving applications in court. We all know that the information of the operation of this Act reached very late in the remotest corners of districts and many people could not avail themselves of the concession that was given under this sub-section. It is a fact that the majority of persons could not proceed under this sub-section and they applied for amendments of decrees after the period of three months. So it is reasonable that further extension of six months for the giving of applications should be notified in the *Government Gazette*. By way of example, I may quote this fact that informations do not reach the village people early and so it is one ground that the time should be extended for a further period of six months. I met a sub-deputy inspector of schools some time back. He told me that the news of the death of the King did not reach him when he was in the rural areas but when he came to headquarters after a week, then he came to know of it. This officer was not in the remotest part of the district; he was only some miles off the district. So even such important news do not reach people for a long time. Thus unless a villager goes to a tahsil or a district headquarters, he is ignorant of new enactments.

Besides this, it was never intended by Government or by the legislature that the facilities given under the provisions of this Act should not be extended to all. They should be extended to all and within a reasonable period. The time of one year and six months for making an application under such an Act is a reasonable time and so I would request the Government to issue a notification in the *Gazette* that

[Thakur Muneshwar Bakhsh Singh]

the time for making applications under this Act should be extended further by six months.

If the Government does not extend the time, then many deserving and poor persons will be debarred from taking advantage of this special legislation which is meant for the benefit of the indebted agriculturists. I think also that it is the intention of the Government that all possible facilities should be given to the indebted agriculturists that are provided under this Act. There is moreover a provision by which the period of the Act could be extended by a further period of six months. I hope the Government will extend the period. There is a general impression among the litigant public that Government would do so, and for that reason many persons have not yet filed suits. There is, besides, a further consideration. If the period of the existing Act expires on the 29th April, which is the harvesting season, many people would not be able to avail of the concession provided in the Act, for they would be able to collect their money only in the month of May or June. For this reason also the date for the expiry of this Act, namely the 29th April, is not reasonable. For these reasons I would request the Government to issue a notification in the *Government Gazette* extending the time for making applications.

Rai Sahib Rai Rajeshwari Prasad : I give my whole-hearted support to the motion which has just been moved. We all know that there was a good deal of misunderstanding about the duration of these Acts when they came into force early in the year 1935. It was understood that the Acts would expire at the end of three months. That, Sir, was the feeling among the villagers, and a number of articles came out in the papers. It is obvious that people could not take advantage of these Acts on account of another reason also, and it was this. When a new legislation of this kind comes into force, people are not able to realize the consequences of it. It is, therefore, not possible to run up to courts with applications or suits immediately. The numbers that have been quoted on the floor of the House with regard to the applications and suits that have been filed under different Debt Acts show that their full advantage has not yet been taken. It is, therefore, in the interest of all concerned, the creditors and the debtors, in respect of debts which cannot be liquidated out of the assets, that recourse might be had to these Debt Acts. It is needless for me to make out a lengthy case for extending the period of these Acts. I hope that the Government have by now decided their attitude with regard to the extension of the duration of these Acts. Some time ago I tabled certain questions on the subject with a view to eliciting some information on the point. I hope that the Government have now come to a decision in the matter and that they will find it possible to extend the duration of the Acts, more specially the Encumbered Estates Act. With regard, however, to the other Acts, I find that it is not possible for me to raise the question under this particular head. I have already given notice of a motion in connexion with which I intend to cover a wider ground. I hope that we shall be able to reach it. I trust that in the course of his speech the Hon'ble the Finance

Member will express the attitude of the Government not only with respect to the Encumbered Estates Act, but with regard to other Debt Acts also.

The Hon'ble the Finance Member : I rise early to inform the House of the present position with regard to this question so that there may be no doubt about it and I am glad that my honourable friend, the member for Hardoi, has raised this point.

Government have recognized for some time that this is an important question which will have to be decided during the course of next month. As a matter of fact the action they have taken so far is to make an inquiry from every district through Commissioners and District Officers in the usual way to ascertain what the views of the persons mainly concerned with these Acts are on the question of the extension of the life of the Encumbered Estates Act, which is legally possible for a period of six months. There are arguments both for extending the period of the life of the Act and also for not extending it. Because the law gives Government a certain discretion it does not by any means follow that it is always desirable that that discretion should be exercised. This must depend upon the circumstances. Judging by the returns which we have received up-to-date, a very considerable number of suits have already been filed under section 4 of the Act. The last return which we have received shows that the total number of suits filed up to the end of last December was about 6,400. Honourable members must have seen from week to week how the volume of the *Government Gazette* is swollen by the number of notices printed in that publication. I have noticed that for some months past there have been anything between 50 and 120 pages of such notices in each successive *Gazette*; and there is still left a period of about six weeks before this Act will, unless it is extended, cease to possess legal validity. So, Sir, Government will be glad to have the advice and opinions of honourable members of this House on this important question. I hope that the lawyer members of the Council will give us their opinions as this will give us valuable assistance in coming to a conclusion. We also hope to have the benefit of the views of members coming from all parts of the province : this will be of considerable assistance to Government in coming to a decision. But the present position simply is that the Government have an open mind on the subject. If it is the case that there is a universal desire for the extension of the life of this Act for a period of six months—and I believe that the Act has been so drafted that there are only two alternatives open to the Government, viz. (i) to extend the life of the Act by six months, and (ii) not to extend it at all—then Government will certainly give favourable consideration to the suggestions made that the life of the Act should be extended.

Mr. Brijnandan Lal : Sir, I do not wish to say anything with regard to the extension of the life of the Encumbered Estates Act. Personally I feel that if the people have not been able to decide so far whether they should apply under the Act or not, I do not think

[Mr. Brijnandan Lal]

another six months will make any difference. But I have no views on the matter.

But there is another important matter relating to the Debt Act to which I wish to refer, Sir, with your permission. I referred to it a few days ago, but the Hon'ble the Finance Member then did not reply to that because it was only a side issue then. I mean the question of court fees under the Debt Acts. It is not certain as to how much would be charged from the applicants. When I went home during the Holi holidays, many lawyer friends complained to me, and I have personal experience also that as much as Rs.60 is being charged for the publication of the notices in the *Government Gazette*, *Talbana*, etc. I hope Government will issue some instructions with regard to this point; otherwise the original idea of the sponsor of this Bill that no fee will be charged will be defeated. I have every hope that Mr. Clay, who is very sympathetic, will consider this question.

As regards suits for accounts under the Agriculturists' Relief Act, it is not quite clear as to what court fee will be paid. The courts are holding different views. The applicants are not certain about the fees. All of a sudden they find that they have to pay a large sum and they withdraw their applications. Let there be a definite sum; and then they will consult their purse and decide. The amount should not be so excessive as to be beyond the capacity of an ordinary applicant. I hope that Government will consider this question favourably.

Rai Bahadur Babu Jagadeva Roy : I also rise to support the cut motion of my friend Thakur Muneshwar Bakhsh Singh. We are indeed very glad to hear from the Hon'ble the Finance Member that he would like to have the opinions of the people in general, and those of legal practitioners in particular. The result in respect of the charges which are made by way of publication in the *Gazette* and also for court fees, has been rightly pointed out. It is a sort of hindrance which is standing in the way of many people, so much so that I had a mind to bring an amending Bill in this respect, which I have not yet done. I say that this is a matter worth serious consideration of Government. It would be opportune if Government, while making inquiries about the number of suits instituted, also make inquiries as to the amount realized by charging people for notifying in the *Government Gazette*. That will give a very clear idea that if one wanted to take advantage of the decretal amount of say Rs.100, he would have to meet the cost of Rs.50. I therefore think that this matter is a very important one.

As regards the extension of the period, it goes without saying that rules had not been framed along with the Bill in the beginning, but later on after discussion. Many people including even a large number of practitioners could not form a definite opinion as to what should be done in making applications. This was one of the hindrances to the people. We even now find that many persons are inquiring about procedure. If this whole thing is taken into consideration,

it would clearly show that it is very necessary, not only desirable, that a further period of six months should be allowed, and I say that this will be within the bounds of the law.

Syed Yusuf Ali : I rise to support the motion. From the statement made by the Hon'ble the Finance Member at least I am impressed that Government has an open mind on this subject, but is rather inclined on the side of not extending the Act for six months. I have come to this conclusion from the figures that the Hon'ble the Finance Member quoted of the suits that were filed. He said that they were about 6,000 till December last. He also referred to the notification issued in the *Gazette*. From these two statements I inferred that the inclination of the Government is on the side of not extending the Act for any further period. May I ask that in a country, which is indebted from head to foot, is it in the opinion of the Government sufficient or more than sufficient that 6,000 suits have been filed under this Act, which was meant for the relief of the indebted people? In a country which is cent. per cent. in debt, if 6,000 suits have been brought, my own opinion is that it is itself an evidence of the fact that the Act requires much more time for giving people opportunity to bring more suits and seek relief under the Act if they can.

Sir, one difficulty in the way of filing suits, as already pointed out by two honourable members who have just spoken, is the attitude of the courts in the matter of expenses demanded from the applicants. It is a very serious obstacle for those who want to take advantage under the Encumbered Estates Act. If the Government, acting on the advice of the two honourable members, inform the courts what expenses or court fees an applicant is required to deposit when he applies under this Encumbered Estates Act, and then inquire into the figures after some months, then, I think, they will come to the right conclusion whether it is necessary for the Government to extend the Act for a further period of six months or not. My own knowledge about the working of this Act is that in the remote places that lie far away from the headquarters of the district people have not yet got a clear idea about the provisions of this Act. They do not know under what Act they should seek relief. They have not yet been told under what Act—the Agriculturists' Relief Act or the Encumbered Estates Act—they should seek relief. Whenever they come to seek legal advice, the first question that is put to the legal practitioners is where should they apply. From this I infer that unless the Act is further extended for a period of six months, I do not think it would serve the purpose for which it has been put on the Statute Book, and therefore I support the motion.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I give my warmest support to the motion before this honourable House, and, in my opinion, it is the bounden duty of the Government to extend the term of the Encumbered Estates Act for various reasons. The first reason that I want to put forward is that this Act was passed on 29th April, 1935,

[Khan Bahadur Maulvi Fasih-ud-din]

and its term ends on 30th April, 1936, but the rules that were framed under this Act were published in the *Gazette* in November, 1935. In other words, the rules were published after full five months of the passing of the Act, and no action was taken by anyone—either by the courts or by the indebted classes—to make any application under this Act for the simple reason that they were waiting for the publication of the rules. When the Government lost five months in the preparation and publication of the rules, then I say again that it is the bounden duty of the Government to give an extension of six months for the enforcement of the Act. The other reason is that there is a section in this Act which allows the debtors to have their decrees passed under the Agriculturists' Relief Act reopened under this Act; and there is also a section which says that if the suit under the Agriculturists' Relief Act has been put in within a period of three months from the date of the enforcement of the Agriculturists' Relief Act, in that case a grace of three months will be given to the debtor in the shape of the extension of the term of limitation of one year. But, Sir, this particular section is so worded that it was not at the time really understood by anyone. In fact, I remember that there was a telegram from the Associated Press that if anyone has not applied within three months under the Agriculturists' Relief Act then he will be debarred from having the decree re-opened under the Encumbered Estates Act. That information, which was given from Naini Tal, was wrong, and the Government had to issue a *communiqué* on that subject in order to explain the real meaning of this provision of the Act. This shows that there was a very mistaken idea about getting the decrees under the Agriculturists' Relief Act re-opened under the Encumbered Estates Act, and for that reason a very large number of persons brought suits under the Agriculturists' Relief Act after the expiry of three months, and those cases are still pending. I find that in hundreds of cases the civil courts have fixed dates in those cases under the Agriculturists' Relief Act after 30th April, 1936. In fact in my own district of Budaun a large number of cases have been fixed in May. Now, if those cases are decided in May, then the period of the Encumbered Estates Act will be over and those people who have brought in suits under the Agriculturists' Relief Act will be debarred from getting those decrees re-opened under the Encumbered Estates Act. That is another reason why the Government should extend the term of this Act to at least six months which is allowed by law.

Sir, the reason for the small number of applications that have been put in under the Encumbered Estates Act are, in my opinion, two. The first reason is that the Act has not yet permeated into the interior of the districts, and not only the indebted classes but the members of the legal profession also have taken a very long time to really grasp the sense of this Act, it being quite a novel legislation of its kind in India. Only about two months ago I came across a pleader of some reputation, who was an M.A., LL.B., and who put certain questions to me which clearly showed that he had not even clearly

grasped the basic principles of the Encumbered Estates Act. So under these circumstances I think it is the bounden duty of the Government to extend the period of this Act if the Government really wants to benefit the indebted classes and to attain the object which this Act has in view.

My friend Mr. Brijnandan Lal has raised the point that very high rates are charged for the publication of notices. There are two kinds of notices which require to be published by the special judge. One kind of notice which requires to be published is under section 8 of the Encumbered Estates Act. This notice calls upon all the creditors to put in their claims within a period of three months. That section says that the notice must be published in the *Government Gazette*, and that it should also be published in an English, in an Urdu and in a Hindi paper, that is, it should be published in three different kinds of papers besides the *Government Gazette*. The cost of this publication which is being charged by the *Government Gazette* is about Rs.50, so I have been told. The officer in charge of the *Government Gazette* has fixed the cost at a certain figure for each publication irrespective of the valuation of the case. For that reason the debtors in those cases in which the amount of loan is not very large are prevented from putting in an application under the Encumbered Estates Act, because they have to pay not only for the publication of the notice in the *Government Gazette*, but also for its publication in the three other classes of newspapers. Again section 11 says that after this publication there will be another notice containing the specification of the property and that notice will call upon all the people who have any claim upon the property to put in their claims. That notice, too, according to section 11 will have to be published in the same way as the notice under section 8(1). Thus the aggregate cost of the publication of these notices comes to over Rs.100 and for that reason the debtors are deterred from putting in their claims under this Act.

Again, Sir, there is one more point for consideration by the Government which necessitates the extension of the term of this Act and it is this, that some debtors have got their property in several villages and even some of the small zamindars also have got their property scattered over in small bits in about 13 or 14 or even 20 villages. These debtors will have to procure the copies of all the khewats and will have to spend a lot of money over securing copies before they can put in an application. It takes about 3 months for some of them to secure these copies especially when the villages happen to be situated in different parts of a tahsil or in different districts. So, Sir, that has been another hindrance in the way of indebted classes to put in their applications under the Encumbered Estates Act. For all these reasons I hope that the Government will agree to the extension of the term of the Encumbered Estates Act, and if the Government makes up its mind to agree to our request, then it should give out its decision at once and not on the last date because in that case there will be great inconvenience caused to the public. They must know where they are if the term is at all to be extended.

Rao Sahib Thakur Shiva Dhyan Singh :

راؤ صاحب ٹھاکر شیو دھیان سنگھ —

جناب پریسڈنٹ صاحب - کونسل کے سامنے اب تک بہت سے معاملات زمینداری سے تعلق رکھنے ہوئے پیش ہوتے رہے لیکن آج جو معاملہ درپیش ہے اس میں زمیندار صاحبان کی majority کی support کی ضرورت ہے - دیکھنا یہ ہے کہ جیسے ہمارے آنریبل فائمنس میمبر صاحب نے اپنی اسپیچ میں فرمایا ہے کہ چھ ہزار مقدمات اس قسم کے دائرہ ہوجکے ہیں تو ان سے کیا میں یہ دریافت کر سکتا ہوں کہ تعداد اس پروانس نے اندر زمینداروں کی کیا ہے جس کے مقابلہ میں ۶ ہزار دائرہ ہوجکے ہیں - دوسری بات یہ ہے کہ کتنے زمینداران منجملہ اس تعداد کے encumbered ہیں اور کتنے non-encumbered ہیں - ابھی ٹھاکر منیشور شخص سنگھ صاحب نے فرمایا ہے کہ ایک ڈپٹی انسپیکٹر اپنے درجے پر ہے اور ان کو پتہ نہیں چلا کہ ملک معظم بادشاہ سلامت صاحب اس جہان ثانی سے رحلت فرما گئے - کیا میں ٹھاکر صاحب سے دریافت کر سکتا ہوں کہ اس قرب و جوار میں جہاں ڈپٹی انسپیکٹر صاحب اپنا دورہ کر رہے تھے کوئی زمیندار آباد نہیں تھا یا کوئی ڈائنخانہ نہیں تھا کیونکہ یہ ایک ایسا حادثہ عظیم ہوجکا ہے جس کی ملک کے ہر ایک کونے میں آواز پہونچے حالانکہ کچھ دور کے ساتھ - یہ معاملہ زمینداروں کا - تھا تو صاحب نے بہت تھپک فرمایا تھا کہ ہر کونے میں ایسے agriculturists ہیں کہ Encumbered Estates Act کی آواز ان نے پاس بہت دیری سے پہونچی - اس کے واسطے جو ایک سال ۶ ماہ کی مبعات تھی وہ انہی ناکافی رکھی گئی -

Khan Bahadur Maulvi Fasih-ud-din :

مبعات ۶ ماہ کی نہیں ایک سال ہی تھی -

Rao Sahib Thakur Shiva Dhyan Singh :

یکسال مبعات اتنی ناکافی تھی کہ محض -

۶ ہزار مقدمات ہی اب تک دائرہ ہوئے - بہت سے غریب زمیندار صاحبان جو encumbered ہیں ان کو ابھی تک اس سے پورا نفع حاصل کرنے کا وقت نہیں آیا لہذا اگر گورنمنٹ اس میں ۶ ماہ کی توسیع اور کنبی ہی تو کچھ سرکاری نقصان نہ ہوگا - میں یہ بھی کہنے کو تیار ہوں کہ ہمارے آنریبل میمبر صاحبان شاید ایسے بھی موجود ہوں کہ ان کو Encumbered Estates Act کے پورے قانون اور قواعد سے واقفیت ہی نہ ہو - اور معزز وکیل صاحبان بھی معاف کریں گے اس کونسل کے اندر کا ذکر نہیں ہے 'outside the Council' بہت سے ولاء اس وقت بھی ایسے موجود ہیں کہ ان کو پتہ نہیں کہ آیا Encumbered Estates میں یا Agriculturists Relief میں اپنے موکل کی عمر بے دلائل - حال میں بلتھبر کے وکیل مشورہ کے واسطے علیحدہ آئے تھے - حیدر ولاء میں ایسے صاحبان موجود ہیں - تو اس غریب زمیندار غیر تعلیم یافتہ، طبیعت کا کیا حشر ہوگا وہ رحم کے قابل ہے -

Pandit Jyoti Prasad Upadhyaya :

آپ کے پاس کوئی وکیل آیا کہ نہیں -

Rao Sahib Thakur Shiva Dhyan Singh :

میں نے تو جس وقت کہ پیش ہو رہا تھا میں اپنے وکیل کو براہر دروازہ

کاغذ بھیجتا تھا کہ آج کونسل نے یہہہ کیا اور پھر دوسرے دن جو ہوا وہ بھیج دیا کہ آج یہہہ ہوا لہذا میرا وکیل تو اس معاملہ میں بالکل تیار ہی - اس لیئے بلندشہر کے وکیل علیحدہ میں مشورہ کے لیئے آ رہے ہیں - اب میں گورنمنٹ سے یہہہ عرض کروں گا کہ جس legislation کو گورنمنٹ نے اُن زمینداروں کی امداد کے لیئے نہایت سچے طور پر کونسل سے پاس کرایا تھا کیا آج وہ گورنمنٹ اپنے اُن زمینداروں کو گلے لگانے کے لیئے پھر تیار نہ ہو چاویگی - ۶ ماہ کی توسیع جو زمیندار صاحبین اس وقت گورنمنٹ سے مانگ رہے ہیں تو میرے خیال میں یہہہ گورنمنٹ کو بہت زیادہ نقصان دینے والی بات نہیں ہوگی بلکہ وہ اُن ساہوکاران سے جو اس وقت اُن کا ٹلا جائز اور ناجائز طریقہ سے دہانے کی تیاری کر رہے ہیں اُن سے شاید وہ بچ جاویں - بہت سے مواضعات بھائی چارے کے ہوتے ہیں جہاں چھوٹے چھوٹے زمیندار چھوٹی حیثیت کے رکھنے والے ہوتے ہیں - اُن لوگوں کو یہہہ معلوم ہو چکا کہ اس بل کی میعاد ختم ہو چکی ہے - تو وہ سمجھتے ہیں کہ ہمارے لیئے اب کوئی چارہ نہیں - اگر گورنمنٹ ایک دفعہ گزرت ۶ ماہ کے لیئے اور کہے تو اُس کو بھی relief ہو جائیگا - اس کے لیئے گورنمنٹ کہہ سکتی ہے کہ Ignorance of law is no excuse اگر آپ واقعی اُن کو امداد دینے کے لیئے تیار ہیں تو آپ ضرور اس کی میعاد بڑھا دیں گے - ایک بات یہہہ بھی عرض کروں گا کہ Agriculturist صاحبان کے جو مقدمات اس وقت دائر ہیں اور اُن کا فیصلہ نہیں ہوا ہے اور اگر Encumbered Estates Act کی میعاد ختم ہو جاتی ہے تو وہ Agriculturists جن کو عرصیوں کا فیصلہ ابھی تک نہیں ہو سکا ہے وہ Encumbered Estates Act کا فائدہ نہیں اُڑھ سکتے - لہذا میں نہایت بے زور الفاظ کے ساتھ کہہ رہا ہوں کہ یہہہ شخص سنگھ صاحب کے cut motion کی تائید کرتا ہوں *

Khan Bahadur Saiyid Jafer Hosain : Sir, I whole-heartedly support the motion now before the House. I think I am right in saying, Sir, that the Government as well as all the members of the House are agreed that the various Debt Acts and the debt legislation that we passed some time ago was intended to give relief to as large a number of debtors as it was possible to give and consequently every attempt should be made to give assistance to as large a number of persons as is possible, and for this reason, Sir, the request contained in this motion is a very reasonable one, and there is no reason why the Government should not accept the request of my honourable friend, who has moved this cut. It is a patent fact, Sir, that in this country of ours of vast distances and of vast rural areas and of a large amount of illiteracy in the rural areas, it is very difficult for any legislation to reach the ears of the villagers. It does take time and as has been pointed out by the previous speakers, there are still a good many debtors, who are uncertain about this law and some of them still think that this is a permanent legislation and there is no time limit.

[Khan Bahadur Saiyid Jafer Hosain.]

Then, Sir, the further point was in connexion with the high publication charges. As to that I would request the Hon'ble Finance Member to go into this question sympathetically. Publication charges even in connexion with insolvency proceedings are much lower. As a matter of fact in insolvency proceedings they charge a sum of only Rs.10 for publication charges and considering that there are a good many debtors who are very poor and who have not the means to pay such high charges and if the Government adhere to the present charges, the result would be that it would debar a good many poor debtors from applying under this Act. As has been pointed by the Deputy Leader of my party, it is necessary and reasonable to fix a graded scale of publication charges, graded according to the debt and the condition of the debtor. Then, Sir, it is also a fact that a good many debtors have applied under the Agriculturists' Relief Act, and if no further extension is given, in that case the benefit which would otherwise have accrued to them will lapse and they will no longer be in a position to take advantage of the Encumbered Estates Act. For these reasons I consider it to be just and proper that Government should extend the period by another six months and allow a large number of debtors to come forward and apply under these Acts.

Thakur Keshava Chandra Singh : Sir, I agree with the previous speakers that the publication charges under the Encumbered Estates Act are very heavy. They are really so heavy that they deter a majority of the debtors from seeking relief under this Act. I know that in my own district of Banda, a majority of the petitions have been dismissed on account of the inability of the applicants to pay the publication charges. Analogous to the Encumbered Estates Act, we had formerly an Encumbered Estates Act in Bundelkhand which was passed in 1903. Under that Act no publication charges were charged, not even a single pie, and the applicants who applied under the present Act were also under the impression that nothing would be charged, and now that the exorbitant sum of Rs.50 is being demanded from them for publication charges, they are simply getting the petitions dismissed. Sir, unless the publication charges are reduced I do not think it will do any good to extend the period by six months more because in the beginning the applicants did not realize that they will have to pay these heavy publication charges and therefore they applied under the Act. Now when they have known that they will have to pay these charges and the charges under section 11 over and above, they will think twice before applying. A good many of the applicants have applied simply in order to escape the attachment of their property or in order that warrants of arrest may not be issued against them, and therefore Government should not run away with the idea that because 6,000 applications have been filed, the cases are too many, and, therefore, it will not be feasible or proper to extend the Act for another six months. I think that some of them will have to be dismissed because of the inability of the applicants to pay publication charges, and others because the debtors simply wanted time to escape the execution of decrees pending against

them that they filed these applications. I would therefore support the motion of my honourable friend.

***Munshi Gajadhar Prasad:** Sir, I am in entire accord with the object of the cut motion that is now being discussed. We all know that the Encumbered Estates Act and the Agriculturists' Relief Act were intended to relieve the indebtedness among the agricultural population of this province. From the facts which have been mentioned on the floor of the House it appears that these people are not taking as much advantage of the Act as they would otherwise have done. We all know that the framing of rules took more than six months, and an extension of six months would be proper. We also know that there are some proprietors of estates who are anxious to put their estates under the Court of Wards. The assumption by the Court of Wards of the management of the estates takes two or three months because there are certain things which have got to be inquired into before they are taken over, and this present period has proved very detrimental in putting in applications on behalf of the Court of Wards. That is a further reason which should be taken into consideration. From the facts that have already been placed by honourable members before the House I find that they have made out an excellent case for extension of the period by at least six months, if not more.

Another point that has been brought forward relates to the high publication charges of notices contemplated under the Act. It is advisable that these rates should be lowered so that applicants may take full advantage of the benefits of the legislation. With these words I strongly support the motion.

Raja Jagannath Bakhsh Singh : When this measure was being considered it was apprehended that the number of persons who would apply for relief under the Act would be so large that the limit of one year might not be found sufficient. This has been amply proved by the number of applications that have been so far placed before the courts. It was for this reason that Government was pressed to extend the legislation for another six months. I think that the number of applications is so large that it is quite possible that there will be quite a larger number of people still who would like to file applications. I think the object of my honourable friend deserves full support—that the period should be extended by another six months. I therefore support the motion.

***Rai Bahadur Thakur Hanuman Singh :** Sir, I support the motion very strongly ; but I do not desire to repeat what has been said by honourable members of this House who have preceded me. If I rise to make any suggestion to Government it is only to make this, that the Government should publish notices through patwaris to inform the people that the period will expire on a certain date. This will draw the attention of those who want to take advantage of the Act. Government under the Act can extend the period for six months only. It is therefore an additional reason for such notices to be published in villages so that those who want to take advantage

[Rai Bahadur Thakur Hanuman Singh]

of the Act may not go with the false idea that there would be time later on for them. Sir, the charges of publication of notices in the *Gazette* and newspapers are too high. It may prove detrimental in a good many cases for the debtors to take advantage of the benefits which have been given by the Acts.

Raja Saiyid Muhammad Mehdi : I rise to support the motion of my friend Thakur Muneshwar Bakhsh Singh. The agriculturists have not been able to take full advantage of the Encumbered Estates Act. I remember that complaints were made by several honourable members at the time when the rules were framed that they were rather of a complicated nature and I am not surprised if the agriculturists have not been able to follow those complicated rules and make applications under those rules. The publication charges are very high and there are a large number of small agriculturists who find that they are not in a position to secure much benefit by these Acts as the publication charges which they have to pay are so high that the advantage that they are going to get under the Agriculturists' Relief Act would not be worth the trouble. I, therefore, think that the publication charges should be lowered especially in the case of the small agriculturists.

Thakur Muneshwar Bakhsh Singh : I have got the support of all the members of this House who have taken part in the discussion and many have given different reasons for the extension of the time. Many applications that would have been presented by this time have not been presented owing to many reasons. Firstly owing to the complicated nature of the Act much time was taken by the persons concerned and the pleaders of the debtors in judging the effect of the provisions of the Act. The second reason was that the printing charges for the publication were so high that many people could not up to this time file their applications. The third reason was that the rules were framed many months after the Act came into force. Then the information that this Act had come into operation reached many persons very late. These are the reasons that have been advanced by many members who have supported me. I think these are good grounds for justifying the action of the Government in notifying in the *Gazette* that the period has been extended by a further period of six months. As to the volume of applications, that is 6,400, I think it is not large. If we inquire we will find that in only two or three districts there are so many indebted landlords. As a matter of fact the average comes to only 125 per district. Then Sir, the Hon'ble Finance Member has said that Government will decide the matter next month. The time for making applications expires on the 29th of April, and so many people, who will think that it is under the consideration of Government, will be misled that the Government will decide in their favour because Government has always been sympathetic towards this class and has made this special law for them. So they will be misled by this fact that it is under the consideration of Government and they will presume that the Government will certainly extend the time by six months

more. If Government does not decide this point in their favour, then many people will be affected and many people will be debarred from proceeding under this Act. I, therefore, request that the Hon'ble Finance Member will accept my motion.

The Hon'ble the Finance Member : Sir, I am glad that this debate has taken place today, as it has given Government the information that so far as this honourable House is concerned there is an unanimous opinion in favour of extending the life of the Encumbered Estates Act. This will be an important factor in the decision which Government will eventually come to. Another point which was raised by more than one speaker and which I recognize to be of considerable importance to the litigant community is the need for an early decision. Obviously if Government delays its decisions till, say, the 20th or 25th of April, before either extending or not extending the life of the Act, parties will be left in a state of doubt. One result of this is likely to be a rush to the Courts towards the second half of April, which will be very inconvenient to the litigants, their legal advisers and to the courts themselves. Therefore I can assure the House that Government will do its best to come to a final decision about this matter early next month, in fact as soon as we have a breathing space after disposing of the Budget, we shall issue a *communiqué* and of course a notification in the *Gazette* announcing what Government's decision in this matter is.

Now, Sir, two or three other points have been raised, to which I think I ought to reply. In the first place, it was stated that there was considerable delay in the publication of the rules framed under the Encumbered Estates Act. My honourable friend, the member for Budaun, I think, said that they were not published till the month of November. There I am afraid he has made a little slip. If he will examine the notification publishing these rules he will find that in each case the rules under the Acts, both the Encumbered Estates Act and the Agriculturists' Relief Act, were published on the 10th of August. Now that is really about the earliest possible date on which those rules could have been published. Honourable members will have in mind the fact that under the Act itself it was laid down that "before making rules under this Act the local Government shall publish a draft statement in the *Gazette* and shall cause copies of the draft to be sent to every member of the Legislative Council, and that before making the rules final, the local Government shall consider the opinions expressed by the public as well as any opinion expressed by the local Legislative Council." In order to carry out that provision of the Act it was necessary for Government to wait until there was another session of the Council. After they had prepared the draft rules, those rules were placed before this honourable House in June last; and many members will have a recollection of the lengthy debate which they gave rise to. After the debate certain further inquiries had to be made from several districts, particularly with regard to the vexed question of "multiples" in the eastern part of the province. It was therefore impossible to make a final revision of the rules under the Encumbered Estates Act until fairly late in the month of July and,

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as I have just said, the rules were finally published in the *Gazette*. They were lengthy and rather intricate rules as has been stated by several honourable speakers today. They were published on the 10th August last and I think on the whole that was pretty quick work, considering the nature of the rules involved. Well, Sir, I admit that the fact that the rules were not published until the 10th August did make it difficult and did deter a number of intending applicants from making their applications until the second half of the month of August. Nevertheless, it is possible to argue that once the rules had been published seeing that the Acts themselves had been well known to all residents in the province for a period of three months before the rules were published and that the intending litigants had thus had time to make preparations for getting their cases in trim for presentation to courts, litigants might have filed their suits without any great delay. I am, however, perfectly prepared to give full weight to the argument that has been adduced by several honourable members as to the great delay which occurs before information of this kind filters into the backward parts, that is to say, those parts of districts which are least well connected with the headquarters town, and I am sure that the Government before it comes to its decision will give full weight to that argument.

Then, Sir, another important point was brought up with regard to the costs which fall upon litigants who file suits under this Act. It was stated that the cost of publication of certain notices, which are prescribed in section 8 of the Act, is high and compares very unfavourably with the cost of the publication of notices in suits under the Insolvency Act. Now, Sir, the reason for this is that these notices have to be published under the Act (for which this honourable House is itself responsible) in three languages, English, Urdu and Hindi. That notice has to be published in the *Gazette* and it also has to be published, under section 8, in such papers, including at least one paper published in English, as the Judge may direct. I take that to mean that the minimum number of papers in which the Special Judge shall cause these notices to be published is two, one English and one vernacular. Well, Sir, if local newspapers seize this occasion for charging a high fee for the publication of these notices, I am afraid that is not a matter over which Government has any control. I can only suggest that honourable members who find this a serious obstacle in their districts should appeal to the compassion and sympathy of the editors of the newspapers concerned and ask them to give a kind of rebate or special rate for the publication of these notices especially in the case of small encumbered estates. But, Sir, I should have thought myself that, whatever may be the definition of the word "landlord" for the purposes of this Act, surely if we are talking about encumbered *estates*, it should have been or indeed actually was the intention of the legislature that the "*estates*" should be at least large enough to support without finding it burdensome an expenditure of one hundred rupees in publishing the notices necessary for the Act to take effect.

It was suggested by one honourable speaker that Government should consider the question of reducing the cost of publication in the *Gazette*. Now I am informed that that cost is not Rs.50 per notice, but only Rs.30. I speak subject to correction, but that is the figure which was handed to me from an official source; and I think it is probable that that is the actual cost—Rs.10 for each of the languages in which the notice is published. Now, if any honourable member cares to look at any recent copy of the *Gazette* and compares the length of the notices which appear under section 4 of the Encumbered Estates Act with those which appear under the Insolvency Act, he will find that the length of the notices under the Encumbered Estates Act is very much longer than those under the Insolvency Act. In fact they run to a column and a half each, that is about two-thirds of a page in the *Gazette*, whereas insolvency petitions consist usually of a single tiny paragraph such as one finds in the column of the middle page of "The Leader" newspaper, those little "leaderettes" which we read with so much profit from day to day. I think it is not altogether unreasonable for the *Government Gazette* to charge a fee of Rs.30 for these lengthy and trilingual notices.

There is another point to be considered, which is that we are losing a very large sum in court fees mainly owing to the operation of these Acts. As I explained when I introduced the budget, the amount which was budgeted as the probable revenue from court fees during the current year has not been realized. There has been a short fall of over eighteen lakhs of rupees already, and it is quite possible that by the time the final accounts for the year are made up that this short fall will have expanded to the extent of twenty lakhs. Not only are we losing a great deal of money, but we are also being compelled to spend a good deal more. We have provided in the current year an additional item of two lakhs under the head "Civil Courts" simply for the provision of extra judges of the first and second grades for the purposes of this Act, to cope with the large volume of litigation which is now just beginning; and there are of course a number of incidental expenses connected with the administration of these Acts. On the other hand the court fees chargeable under the Acts themselves are extremely low. This is a point to which I have referred before and which I think I ought to bring to the attention of the House today.

One honourable member did ask the Government if it would undertake to make it quite clear—of course this would have to be by means of amending legislation—what exactly the court fee payable under section 33 of the Agriculturists' Relief Act ought to be. That is a point which has been brought to the Government's notice on several occasions during the last month or two, and it is one which will certainly engage our attention. It may be decided that Government should bring forward a short amending Bill during the June session to put this point beyond the possibility of doubt for the future, although I am afraid that in a large number of instances a decision

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either right or wrong has already been come to. These I believe to be all the points which have been raised except one, viz., that Government should issue printed notices in good time throughout the districts to call the attention of the possible litigant public to the date of the final expiry of the debt legislation. That, Sir, is an interesting and valuable suggestion to which the Government will give consideration.

I have now replied to all the points that have been taken, and I need only assure the House that the opinions which they have unanimously expressed today will receive the sympathetic consideration of Government.

Mr. Brijnandan Lal : May I say a word or two on a point of personal explanation, Sir, ? I did not say that the cost of publication alone amounted to Rs.60. I said that the cost of publication plus *talbana*, etc., sometimes came to Rs.60. Besides, in the case of small debt the court fee will be small, but the cost of publication will be the same for big and small debt. It means that the Government instead of losing will make a profit in the matter of publication of notices.

The Hon'ble the President : Is the motion being pressed and, if so, with what object ?

Thakur Muneshwar Bakhsh Singh : The object is to impress upon the Government the necessity of extending the time of making applications under section 4 of the United Provinces Endumbered Estates Act, 1934, for a further period of six months by issuing a notification in the *Gazette*.

The Hon'ble the President : The issue being as stated by the honourable member, the question is that a reduction of Re. 1 be made.

The question was put and agreed to.

***Mr. C. Y. Chintamani :** Mr. President, I beg to move that under sub-head Head of Province, etc., Total, a reduction of Rs.10 be made.

Before I state the object of this motion and proceed to make a few observations in support thereof, I ask for your permission, Sir, to refer very briefly to a point that has been raised in the last discussion, i.e., the cost of publication in newspapers, and I do so because of the advice given by the Hon'ble the Finance Member to non-official members opposite to make an appeal to the generosity of editors of newspapers to reduce the charges for the publication of notices. In the first place, the publication of notices is in charge of the managers of newspapers and is somewhat of a transferred department in newspaper offices. Suppose yesterday I had made a personal appeal to the Hon'ble the Finance Member to give advice to the Hon'ble the Minister for Local Self-Government to take greater care in making nominations to district and municipal boards, I doubt not the Finance Member would have replied that it was no business of his and that he should not interfere with his transferred colleague. As I happen outside this House to be the Editor of a newspaper, I have to give a

* Speech not revised by the honourable member.

similar reply to the Finance Member. Secondly, Sir, the paper with which I happen to be associated is not one of the officially favoured papers and therefore it does not get many official notices for publication. Recently there has been some correspondence between me and certain district officers, because our representatives were informed by the latter that official notices were distributed to newspapers under the auspices of the Publicity Department under the control of the Finance Member and that newspapers were selected by them and complete discretion was not left to district officers. I was further informed that the favoured newspapers were the loyalist newspapers in districts, where they are called district gazettes, or by another name, Aman Sabha organs either technically or *de facto*. Therefore I would ask the Hon'ble the Finance Member to exercise his undoubted influence with those whom he can control or whom he can effectually advise, so as to oblige the zamindars who would have to meet the cost of the publication of such notices. Lastly, the bulk of these notices is published in the *Government Gazette*. In some of the recent issues of the *Government Gazette* I counted 100 pages, 200 pages, 300 pages of those official notices, and surely it is under the control of the Finance Member to regulate the charges thereof. But, Sir, I would agree to make a recommendation to the Manager of the newspaper with which I am connected that, when any notice under the Encumbered Estates Act or the Agriculturists' Relief Act is sent to that paper for publication, concession rates should be offered in view of the object of the legislation and the financial condition of those who would have to meet the cost of the publication thereof.

I now come to the motion that is before the House. The object of this motion is to call attention to official interference in the elections to district and municipal boards, particularly the elections of chairmen. Yesterday, a great deal was said upon the surprising change of attitude of some of my honourable colleagues and myself towards district officers. We were told that ordinarily our hands were at the throats of those officers, but that yesterday, probably on account of our animosity towards the Minister for Local Self-Government, we found ourselves suddenly converted into great admirers of those officers. I explained my position in the second speech, which I had to make yesterday afternoon; and I here confirm everything that I said therein. When this point was referred to in yesterday's debate, I mentioned that it was not the object of yesterday's discussion, but since one of my honourable colleagues prominently referred to official interference in elections, therefore it was held that the two issues were mixed up in that debate. I here offer this as a specific issue in this discussion. I am sorry that from many districts in these provinces there have been complaints, loud and repeated complaints, of unwarranted interference by officials. It is one of the offences which ought not to be committed in elections that officials should interest themselves unduly or at all in popular elections. But it has been more a dead letter than a law observed in actual practice by the Government. If the Hon'ble the Finance Member would

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turn to the pages of the volumes of evidence given before the Muddiman Committee in 1924, he would find in some places mention of concrete cases of such official interference, with no defence on the part of Government against the charges so made. I do not know whether the interference in the last district and municipal elections was by way of rehearsal of the larger interference that was intended and expected in connexion with elections to the Legislative Assembly and the Legislative Council next year. On that point, the Hon'ble the Finance Member will doubtless be able, if he were so inclined, to throw some light. But my first necessity is to prove the fact of interference. I have received complaints from, among other places Allahabad, Lucknow, Cawnpore, Agra, Muzaffarnagar and Kalpi. On the other hand, I have received from friends testimonies to the disinterestedness and impartiality of district officers from certain other districts—all honour to the district officers of the latter class of districts. In Allahabad, I know it for a fact that police officers were ordered to visit members of the Allahabad Municipal Board to press them to cast their vote in the election of the Chairman, not for Dr. Kailash Nath Katju, as he happened to be the Congress candidate, but for Rai Bahadur Babu Kamta Prasad Kakkar. I myself had occasion to talk to some of these police officers against whom this allegation was made; and they told me that the allegation was quite true. They did visit the members; but they did not press them; they only advised them; what police advice in the case of the man in the street is can be imagined; and that they went to them and gave their advice not spontaneously but on the orders of higher authorities, by which they were bound. Next, Sir, I knew that Babu Kamta Prasad had no intention whatever of being a candidate for re-election to the chairmanship. On the contrary, he had been supporting the candidature of Dr. Katju. It came as a surprise to me when at the eleventh hour he allowed his name to be put forward. I made inquiries and I had information from unimpeachable sources, with authority to use that information, that because Mr. Kakkar was a Government Pleader in Allahabad pressure could effectively be exercised upon him and was exercised, and he was made to stand as candidate in spite of himself, although he knew that he had pledged his word to Dr. Katju and that he would have no chance of success, as he came upon the scene at the eleventh hour. I said.....

Shaikh Muhammad Habib-ullah : Is Mr. Kakkar not a man of the Liberal Party?

Mr. C. Y. Chintamani : I will answer that question outside, as it has nothing to do with this debate. What is relevant is that he is a Government Pleader. The honourable member, Shaikh, Habib-ullah, with his genius for irrelevancy, which is part of his native equipment, has asked me whether Mr. Kakkar is a member of the Liberal Party. I have assured him that I shall answer his question outside this House with great pleasure. Here and now I do not wish the issues to be confused by irrelevant matter being imported into the debate. Whether he was or he was not a member of the Liberal Party

or any other party, the fact is he is a Government Pleader and that fact speaks volumes. The honourable member from Sitapur, Shaikh Muhammad Habib-ullah, can certainly come to the defence of officialdom in many ways and in many matters without being always irrelevant.

I heard similar loud complaints with regard to the election of the Chairman of the Municipal Board of Lucknow. I understood from sources which I had no reason to disbelieve or discredit that it was the particular anxiety of the Government that whatever might happen at any other place, sure in the two cities of Allahabad and Lucknow Congressmen should not be allowed to succeed. I am not a Congressman, but for this very reason of unwanted and improper official interest in the matter I am right glad that the Government got the defeat which they deserved and that in both these cities the Chairmen of the municipal boards are Congressmen.

With regard to Cawnpore and the election of the Chairman of the municipal board there, there was so much that was published in the press that it would be a work of supererogation for me to repeat here a fraction of what was said. Suffice it to say that there the official interest in the election was quite in excess of that which had been shown at Allahabad and Lucknow, with the result with which the world is familiar.

I had complaint from Agra that the interference in the election of Chairman this year in Agra was far more than on any previous occasion.

There is another place from which I received the following information and it is so telling that I proceed to place it before the House. Here it is : "Ever since the elections to the local Municipal Board the district authorities got busy organizing a loyalist party and canvassing their own nominee on the board. In spite of the fact that Congressmen constituted an election majority, the three nominated members turned it into a minority. Since it was clear that the Congress Party could not set up successfully a Congress Chairman on account of the strong official opposition and that Mr. X was likely to be their next choice against Mr. Y, a Special Magistrate and the official nominee, the district authorities set about in right earnest canvassing for their candidate's support. All the five Muslim elected members and the three nominated members were mobilized into opposition to Mr. X and it only remained to manoeuvre the neutrality of the single non-Congress non-Muslim member Mr. Z to assure the official nominee a success. Asked as to what attitude he would adopt in the matter of elections to the chairmanship of the two boards, the district magistrate made it clear that he had not much interest in the district board as a loyalist chairman there was a certainty since Congressmen were not there in any appreciable number, but that he was greatly concerned with the municipal board where also he wanted a loyalist Chairman. Mr. Z, the only non-Congressman non-Muslim member, was asked by the

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district magistrate to support the candidature of Mr. Y, the official nominee, or at least to remain neutral. The nominated *Harijan* member was subjected to very great pressure, so much so that the city magistrate drove him in his car to the precincts of the municipal board boundary at 2 p.m., the time fixed for the election of the Chairman. Mr. X himself was on different occasions, within a period of ten days, asked not to offer himself as a candidate. The district magistrate told him that he wanted a loyalist Chairman who could subdue the strong Congress Party in the board and whom he himself—the district magistrate—would control in the matter of administration and budget. It was further made clear to him that the Government would not treat as a friend one who gets the Chairmanship by Congress support. Finally he was told an hour-and-a-half before the elections that if he elected to stand for Chairmanship he must be prepared for strong opposition, and possibly a tie. He was further directed to convey to Mr. A, a permanent Congress member of the board, that he would be well-advised not to propose his name. The nominated *Harijan* member having remained neutral, Mr. X, on the motion of Mr. A, was duly elected Chairman. Now that the election is over, the officials are busy making some sort of representation against his election. In this connexion it should be noted that at the time of elections to the membership of the board, a circular was issued to the servants of the collectorate to exercise their right of vote, with a foot-note which was subsequently thinly struck off, that the Congress is not to be supported. In connexion with the district board elections the district authorities actively opposed the Congress nominees. The district magistrate sent letters to honorary magistrates and honorary assistant collectors asking them to oppose Mr. B, a *vakil*, the Congress candidate from constituency C. He himself personally remained present in the camp of the rival candidate for over two hours. Even after the elections, the sub-divisional officer, while renewing licences for fire-arms, made it a point to inquire from licence-holders as to which party they had backed in the elections. Mr. D, the *mukhiya* and *sarpanch*, has been served with a notice by the district authorities to explain why he supported the candidature of so and so, the Congress candidate for election to the district board from the Southern Constituency." My correspondent adds—"and all this is local self-government."

There is another place, Sir, from which there is this representation: "I am an elected member of the municipal board; the election of the Chairman was to take place at 2 p.m. The contesting candidates were Mr. A and Mrs. B, Mrs. B, being a nominated member. Mr. A has been the Chairman of the board for the last two terms, but his administration has not at all been in keeping with the wishes of the people and there was a definite feeling against him at the last election. It was the express wish of the people that Mr. A should not be Chairman this time. Such being the state of things, Mr. A could not hope to be elected. Thus he sought the influence of officials which was given to him in all seriousness. Our party had decided to vote

for Mrs. B. Getting news of the feelings against Mr. A, the district magistrate arrived on such and such a date. Both the district magistrate and the tahsildar personally asked me to vote for Mr. A, and threatened to put me under custody if I refused, but the sense of public duty and my own conscience did not allow me to vote for one who was disliked by the public and I refused. I was detained and was not allowed to stir out. The next morning the tahsildar asked me to vote for Mr. A and told me that if I disobeyed the district magistrate the consequences would be serious. I was detained there till the election was over. I was deprived of the exercise of my right to vote." On the same matter another correspondent writes : " Now everyone was quite sure of Mrs. B's success, as there were five members in favour of Mrs. B, including herself. In the evening the district magistrate, the sub-divisional officer, the tahsildar, the sub-inspector and Mr. A assembled in the tahsil. The supporters of Mrs. Nigam were brought into the tahsil by the police and were badly threatened to support Mr. A. On their refusal to do so they were taken in police custody and were kept confined in the police station for the whole night. In the morning, the day of elections, they were again taken to the tahsil and were reinforced by the tahsildar to vote for Mr. A. Mrs. B was also called and was asked to vote for Mr. A. She totally refused to do so. At 1.45 Mr.—was brought under police custody to the polling booth, when he had promised to vote in favour of Mr. A under threats of police. Thakur—was detained in police custody, as he had finally refused to vote for Mr. A. Thus Mrs. B was defeated by one vote, as she got 3 and Mr. A 4, including that of an official. The matter has already been telegraphed at 1 p.m. to the Commissioner and the Home Member and they have been requested to take necessary steps in the matter. I am putting the bare facts before you in the hope that you will kindly raise this question in the Legislative Council and advise the Government of the United Provinces to appoint an inquiry commission. In the name of justice and women's cause I appeal to you to take the matter in your hand and get the election cancelled."

I am very sorry that this correspondent has quite an exaggerated opinion of what an elected member of a Legislative Council can do when he is a member of the minority party. Apart from that I would ask the Hon'ble the Finance Member whether he thinks it proper that his officials should interest themselves in this manner in what are supposed to be free and popular elections? If he denies the fact, I would suggest that in view of the details that I have read out from written communications it is his obvious duty to set on foot an impartial inquiry in order to ascertain the facts. The Hon'ble the Finance Member need not be reminded of the English saying that " Caesar's wife ought to be above suspicion." I am not one of those who accept at its face value every statement made in the streets regarding the conduct of one official or another or of one non-official or another. But when in spite of the wrath of the local officials the persons of those localities would incur they make bold to make these specific detailed

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statements of facts and ask members of the Legislative Council to bring it publicly and prominently to the notice of the Government on the floor of the Legislative Council, I submit that there is a *prima facie* case for inquiry, and if the Hon'ble the Finance Member is, as I doubt not he is, jealous of the reputation for impartiality of the Government, of which he is a Member, I submit that he should not lightly disregard the appeal I now address to him to make inquiries into these elections. I would not make the same appeal to the Hon'ble the Minister for Local Self-Government, because we know that although he may have been called the Minister for Local Self-Government during the whole of the ten years that he has held office, he has in actual fact been a Minister against Local Self-Government. He himself believes in official interference and protects it, and therefore it will be absurd for me to make an appeal to him to do that to which he is manifestly opposed and to advise others not to do that which he himself freely does. Therefore I will not make that appeal to him. But the Hon'ble the Finance Member stands in a different category; he is not involved in any of the nominations and elections to district and municipal boards. He was at one time Secretary, Local Self-Government Department, but he is no longer so; he has not been that for more than four years. Therefore he can bring an impartial mind to bear upon these complaints, and with regard to the officers of the Reserved department against whom complaints are made he is in the position of an appellate authority.

It is a mistake which Governments have often made in this country that they regard themselves as *ex officio* defenders and upholders of everything and anything which subordinate officials might do. Governors of this province in the past publicly declared that they were heads of the Civil Service here and they were here to protect their interests. This is a hopeless and wrong conception of their functions and their duty. There need be no Government at all at headquarters if all they have to do is to stand up for the prestige of every minion official in the district and stand up for them in spite of a number of complaints against them. Mr. President, I have had personal experience of the present Finance Member and also the present Chief Secretary. I am glad to say that often I have found them open-minded and impartial. I have not found them blindly zealous in supporting any wrong that may be reported to them. It is for this reason, it is because my experience of the Finance Member as well as of the Chief Secretary has been more pleasant than the experience of people generally is in dealing with officials, that I am inspired by confidence that I do not address them in vain though I ask them to sustain their own reputation and not to condemn officials but to make an inquiry. On my part I give them one assurance. Suppose they hold an impartial inquiry and suppose the judgment of that investigating body or investigating individual after ascertaining facts from both parties is that the officials were not in the wrong, then, Sir, I give this solemn public undertaking that I shall make honourable amends to the officials against whose conduct I

have quoted from papers here today and that I would not have the slightest hesitation in making an apology unqualified, emphatic and public to those officials for having dragged them into discussion. On his part I would ask the Hon'ble the Finance Member to show the spirit of responsibility and co-operation and to undertake that if the result of the inquiry is to incriminate those or any other officials or some of them, he would take specific disciplinary action against them. I trust the members of all parties of this House including Shaikh Muhammad Habib-ullah, will consider that there could not be anything fairer and more impartial than this offer that I make.

Mr. President, this matter is of importance at this moment not merely because of what has happened in the recent past, but still more because of what may happen in the near future. Elections far more important than the elections of the district and municipal boards are to be held during the coming official year. The result of these elections will be of far-reaching consequence. They will determine what shall be the composition of the Provincial Government of this province for five years from 1937 onwards. Howsoever unsatisfactory the constitution of the future Provincial Government is and I have not made a secret of my opinion that it is extremely unsatisfactory, still the fact is there that this is the majority of the coming Provincial Legislative Assembly which will determine the composition and complexion of the next Government of the United Provinces. If in the elections, the result of which will be of such far-reaching consequence, the Government, in spite of law, in spite of public professions, were secretly to instruct their officers to take interest in elections, to see that a certain class of candidates is elected and that certain other class of candidates is rejected so that men unwelcome to them, men whose political opinions are obnoxious to them, may not be asked to form a ministry here, then I say that will be a fine irony and a practical joke and a worst commentary upon their open professions of all that is to be expected from the coming advance in self-government and autonomy. I assure the Hon'ble the Finance Member as a public man who is in touch with opinion that there is a kind of widespread apprehension in the public mind in almost all districts of the province that the Government are likely so to interfere. I am quite sure that the district officers, whatever their personal predilections might be, would not be bold unduly to interfere in these elections if they were not more or less confident of Government's support in what they did. It is up to the Government to make it clear, in every manner possible, to make it clear beyond the possibility of a doubt, that it is their firm intention that officials should stand aloof except for their administrative work in the elections, and should not seek, directly or indirectly, to influence the result of the elections in any manner whatsoever. I trust the Hon'ble the Finance Member will be able to make a declaration when he rises to reply to my speech which may be calculated to set at rest the grave apprehension in the public mind throughout the province on this matter at the present moment. As regards the issue, the issue is protest against official interference.

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If the Hon'ble the Finance Member's answers with regard to inquiry into the allegations and with regard to the future intentions of Government be more or less satisfactory I shall certainly ask for the leave of the House to withdraw my motion. If not, matters will take their own course.

Shaikh Muhammad Habib-ullah : Sir, when I rise to oppose the Leader of the Opposition I find that I am trying to face a wounded tiger on foot with a very poor weapon in my hand, but I feel that I must oppose him because he is not in the right. Sir, he has called me as always "irrelevant", but he forgets his own irrelevancy when he started the debate on his motion with a commercial statement intimating to the members of this House that the Leader will reduce the rate of advertisements relating to the Encumbered Estates Act. I should like to know in what way it is relevant to the subject of the cut before the House. Now, Sir, my friend has started with Allahabad and has instanced the cases of Mr. Kakkar and Dr. Katju. Mr. Kakkar is a non-Congress candidate and Dr. Katju is a Congress candidate. He says that Mr. Kakkar against his wishes was put up as a candidate against Dr. Katju, while in his heart of hearts he was all the time with Dr. Katju. I put the question whether Mr. Kakkar was not a member of the Liberal Party and he said I was irrelevant. My point was that but for the weakness of membership of that party he would not have adopted the attitude attributed to him. He would not have stood against a Congressman while in his heart of hearts he was for a Congressman. It means that the man was sitting on the fence and did not know which side to go. At one time he tried to please the Congress; at another time he tried to please the Government. Sir, whatever may have been the atmosphere of Allahabad, the atmosphere of Lucknow is quite different. My friend has cited the case of some policemen who came and told him that they were under orders to go and canvass the people against Congress candidate. My friend may be too clever, but he ought to know that the policemen are cleverer still. They may have tried to put him on the wrong track and may have given him wrong information, so that if he made that statement they might deny it. He spoke on very great authority that in Lucknow the officials were also interfering in the election of the Chairman of the Municipal Board. I do not know what is his source of information. I can speak with confidence that Mr. Monro, the Deputy Commissioner of Lucknow, when several people went and asked him as to whom they should support, said, "I have no business to interfere in the matter; you are absolutely free to vote for any body you like." This has been the attitude of officials in Lucknow. It appears that the atmosphere of Allahabad is impure; it goes to affect the official mind. I therefore think that no official should be allowed to stay in Allahabad for long periods so that he may not be influenced by that atmosphere and Government should take steps to see that that atmosphere is purified. I know for certain that the nominated members of Government in Lucknow voted for the Congress people and they were never asked by the Hon'ble Minister or any official

to vote for one side or the other. It is all a question of the quality and kind of membership that one finds in any city. In Lucknow they knew that it was useless for any official to go and influence the nominated members to vote for any party candidate that Government wanted. I think Syed Ali Zaheer, a member of my party here, was one of the candidates and he was not like Mr. Kakkar—he was all the time for the Congressman, while he was put up by Government to stand against the Congressman. It was not that spirit in which he fought. He fought with all the keenness necessary, and I know how he felt when he was beaten. I know many cases, but I may mention one—the case of my wife Begum Habib-ullah who is a nominated member of the board. She did vote for the Congress candidate, Mr. Khaliq-uz-Zaman.

Pandit Joti Prasad Upadhyaya : Did not the honourable member try to control her ?

Shaikh Muhammad Habib-ullah : It appears that the Leader of the Opposition seems to have been influenced by that most fantastic document which he has read in the House. He has appealed to the Hon'ble the Finance Member to make an official enquiry. I think with his experience as an ex-Minister and as a statesman he should not have made such an appeal. What is the source of Government for making such an enquiry—official source. Does he with all his experience as an ex-Minister, statesman and journalist expect that he would receive a verdict in his favour ? Of course he has put in the word "impartial." And when the result goes against him he will say that it was not an impartial enquiry. I thought he was not going to criticize those friends of his for whom he stood yesterday, that is the district officers and the district staff, but today he was against them. Why ? Because he had received a communication which to him appeared to be more reliable than the information which he had received yesterday. While commenting on the conduct of the local district officers he did not spare even the Minister. He says that the Minister is not the Minister for Local Self-Government, but Minister against Local Self-Government. It has been proved on the floor of this House yesterday that he is Minister for Local Self-Government, and that proof was so strong that my friend, the Leader of the Opposition, while making his second speech declared at the rostrum that he was going to withdraw the motion, so that the Minister may not have a chance of repudiating what he had said in his last speech.

Mr. C. Y. Chintamani : No.

Shaikh Muhammad Habib-ullah : He did not press the resolution. With these remarks I most earnestly oppose the cut proposed by my friend, the Leader of the Opposition, if my remarks are at all relevant to the point on which I have spoken.

چودھری محمد علی —

Chaudhri Muhammad Ali :

حضور والا — اس وقت دو بڑی دلچسپ اسپیکرین ہم لوگوں نے سنیں ایک سی آنریبل لیڈر آف دی ایجوکیشن کی اور دوسری سی آنریبل شیخ حبیب اللہ صاحب کی — ان اسپیکروں کے سماع سے ہم نے ایک نئی بات سیکھی — گو کہ بڑھا آدمی ہوں لیکن دنیا میں سیکھنے کا ہر وقت موقع ہی — میں نے ایک نئی بات سیکھی کہ جس وقت دلایل کمزور ہو اور اُس وقت اگر lungs طاقتور ہوں تب بھی اثر ہو جاتا ہے — افسوس کہ میرے lungs میں کچھ خراش ہی ورنہ میں بھی ایسی دلیل کو اسی طرح سے مضبوط کرتا — یہاں پر جو گھن گرج تقریریں ہوتی ہیں انہیں سماع کے بعد مجھے روزِ دیلت صاحب کی یاد آگئی — جب وہ پریسیڈنٹ سے ریٹائر ہوئے تو انگریز شکار کھیلنے کے لیے چلے گئے جس طرح ہمارے شیخ حبیب اللہ صاحب شکار کے شوقین ہیں — انگریز سے روزِ دیلت صاحب یورپ گئے اور ہر جگہ انہوں نے بڑی گھن گرج اسپیکرین میں اُس کے بعد جب وہ امریکہ پہنچے اور امریکہ میں اُن کی اسپیکروں کا سلسلہ شروع ہوا اُس زمانہ میں پنج میں ایک بڑا دلچسپ کارٹون نکلا تھا ایک طرف Uncle Sam دُورے ہوئے کھڑے تھے اور دوسری طرف مس یورپا دیوار پر کھڑی ہوئی کہتی تھیں کہ اب اُنہر کی داری اُٹھی — شہنشاہ صاحب کی اسپیکر سماع کے بعد مجھ کو آج بھی لطف آگیا — خیر یہ تو صرف ایک تمہید تھی — مجھ کو صرف یہ عرض کرنا ہی کہ میں دل و جان سے آنریبل سی لیڈر آف ایجوکیشن کی موشن کو سپورٹ کرتا ہوں اِس وجہ سے نہیں کہ مجھ کو دستِ حرکت پورے اور میونسپل بورڈ سے محبت ہی بلکہ ہم لوگوں کا بھی ایک معاملہ اسی طرح کا ہے — ایک مرتبہ کہیں چار سوار دلی جارہے تھے راستہ میں ایک کھار اپنے گدھے پر ملا جب کسی نے دریافت کیا کہ آپ لوگ کہاں جارہے ہیں تو کھار نے جواب دیا کہ ہم پانچویں سوار دلی جا رہے ہیں — اسی طرح آج جب یہ دستِ حرکت پورے اور میونسپل بورڈ کے الیکشن کا معاملہ پیش ہے تو ہم بھی عرض کرتے ہیں گورنمنٹ British Indian Association کا بھی خیال رکھیے — ایف صاحب مجھ کو میری جرأت پر داک دیتے ہیں حالانکہ میں نے اپنے اعتبار سے تو کوئی جرأت کا کام نہیں کیا *

Rai Bahadur Vikramajit Singh:

آپ کو شادی کے دان دیتے ہیں *

Chaudhri Muhammad Ali: Setting a good example to you if you like to follow.

میں کہتا ہوں کہ عمدہ مثال ہی اِس کے لیے اگر ہمت ہو تو آپ یہ کیجیے اور اگر آپ کیجیے تو آپ کو خوشی تو ہوگی ہی انشا اللہ تعالیٰ ازسی پورسیوں کو بھی بہت خوشی ہوگی — خبر میں آجیہ اور کہنے والا تھا کہ شادی اور خانہ آبادی کا ذکر آگیا اِس لیے گو کہ کوئی بہت کچھ کہتا ہے

*Speech not revised by the honourable member.

دینے ہیں کہ آپ ایک تعلقہ دار ہوتے ہوئے میدان میں آگئے - مسٹر برٹن نے ایک کتاب لکھی ہے اُس کا عرض کرنا pedantry نہ سمجھا جائے - اُس کتاب کا نام ہے Anatomy of melancholy اُس میں ہر قسم کی melancholy کا تذکرہ ہے کہ خوف کی melancholy اور فکر کی melancholy وغیرہ مگر اُس میں زمینداروں کے خوف کی melancholy کا کہیں ذکر نہیں ہے وجہ یہ ہے کہ اُس زمانہ کے تعلقہ داروں کی ایسی حالت نہ رہی ہوگی کہ جو اتنی ذرا سی بات پر مجھے داد مل رہی ہے لیکن اُس سے کوئی یہہ خیال نہ کریں کہ میں اس گورنمنٹ کو کم محبت کرنا ہوں یہہ بات ہوگز نہیں ہے اگر یہہ گورنمنٹ یہاں سے جانے آئے تو ہم اپنا خون بہانے کے لیئے تیار ہیں ان لوگوں کے لیئے - لیکن اُس کے یہہ معنی نہیں ہیں کہ ہم اُس کی غلطیوں کی پردہ پوشی کریں - صریحی بات ہے کہ جب ڈسٹرکٹ بورڈ اور میونسپل بورڈ کے لیئے آنریبل مسٹر چٹنامنی کھڑے ہوں جو اُس کونسل میں بہترین آدمی ہیں تو British Indian Association کے لیئے کون کھڑا ہوا ہے ایک غریب محمد علی جو اردو میں بولتا ہے - تو مجھے کو صرف اتفاق عرض کرنا ہے - اُس سے یہہ خیال نہ کیا جائے کہ ہم لوگ وفاداری اور وفا شعاری میں کسی سے پیچھے ہیں ہماری اُس نیت اور جوش میں کوئی فرق نہیں ہے جو ہمیں گورنمنٹ کے واسطے ہی صرف اتنا خیال ہے کہ بھائی جب اُن لوگوں کا خیال کرتے ہو جو ذاتِ ذہبت سے کام لیتے ہیں تو اُن بیچاروں کا بھی خیال کر دو جو ہاتھ جوڑ کر اور منت سے کام لیتے ہیں British Indian Association کے election میں بھی دخل اندازی نہ کی جائے - پس یہی مجھے کو کہنا تھا - مجھے کو اُمید ہے کہ آنریبل ممبرس میڈی ٹائید کریبنگے اور میرے ہم زبان ہو جائینگے *

Mr. Brijnandan Lal : I had no intention of taking part in the debate, because I have no complaint against our District Magistrate who has been absolutely fair. But for the speech of Mr. Habib-ullah I would not have intervened. He has talked of commercialism. I am afraid he has got a wrong conception of commerce. He thinks that because the Government is paying him therefore he must support the Government in every matter. It is not the Government which is paying him, it is the tax-payer, and he is not true to his salt when he gets up to support the Government in season and out of season.

The Hon'ble the President : I am afraid the honourable member is going beyond the point. He is making a personal attack which is not allowed.

Mr. Brijnandan Lal : I beg to submit that my attack is not so personal as that of Shaikh, Habib-ullah.

The Hon'ble the President : Unless the honourable member sticks to the point I shall be under the painful necessity of ruling him out of order.

Mr. Brijnandan Lal : Very well, Sir, I shall confine myself to the point before us. He said that Mr. Monro, Deputy Commissioner, Lucknow, said to the members of the board that they were absolutely free to vote. It was pointed out by the Leader of the Opposition that it was not all the officers who had interfered, but there were some who were impartial and did not interfere. It was quite irrelevant for him to quote the instance of Mr. Monro. He mentioned Mrs. Habib-ullah. He said that she voted for a Congressman. What a worthy husband of Begum Habib-ullah! Then, Sir, he praised Saiyid Ali Zaheer for his independence, but in spite of the fact that he is praising him now, he worked against Saiyid Ali Zaheer. He again praised the Minister for Local Self-Government today. Here the membership of Begum Habib-ullah, a highly respected lady becomes important. I want to know whether she is a nominated or an elected member. However, speeches like that of Mr. Habib-ullah do not add to the dignity of the House. At the time when he was speaking I did not get up to appeal to you because I believe in full liberty of speech, but liberty of speech does not mean abuse of speech. Irrelevant interruptions and speeches of this kind create a very bad impression on the people of these provinces. I am sure the constituencies of the members will take into account all these things.

Raja Saiyid Muhammad Mehdi : Sir, I have been listening to the debate that has been going on this morning and I also heard the debate yesterday, and really, Sir, I joined with those honourable members yesterday who thought that they had heard some of the speeches with a sense of shame. I assure you, Sir, that since I have been in the Council I have never heard members making their speeches with so much personal references and feeling behind them. I admire you, Sir, when you asked one of the previous speakers. . . .

The Hon'ble the President : I won't allow any allusion to that.

Raja Saiyid Muhammad Mehdi : Very well, Sir, I am glad that we here can speak with liberty, and I think we ought to have courage to speak our conviction without carrying an impression that our speeches are being interpreted as speeches made with any personal motive or that we are less worthy than the people from whom we differ. I assure the House that I have some information about the municipal elections that were fought in Lucknow. One of the members of the municipality told me that had the officials here interfered the present Chairman could not have been elected. He is my friend. Secondly, the nominations were so much criticized yesterday, but I am proud of the nominated lady in Lucknow who voted for a person from whom she may differ whenever she likes. It is no secret that before her nomination everybody knew where she would vote, and her nomination meant a vote for a Congress candidate. I am glad that her nomination was made, as that showed that the Government were not always for the promotion of the interests of one party or the other.

Another point which I would like to make is that the only election that took place in the British Indian Association for returning a member to the Legislative Council was presided over by me. I acted as the Returning Officer and I can assure the House that there was no interference on the side of the Government. The British Indian Association is an autonomous body and I would be the first man to oppose any interference from the Government. No complaints were received by me as Election Officer at that time and the Government did not interfere. There was no Government servant there when we held that election. I do not know what the other election is. There might have been some elections for seats on the Executive Committee or things like that. With that question the House has nothing to do. We are an autonomous body and we do not want to court the decision of this honourable House.

Khan Bahadur Saiyid Jafer Hosain : The recent election of the President.

Raja Saiyid Muhammad Mehdi : Sir, there is no recent election. Well, Sir, it is a matter on which I think this honourable House has no right to express an opinion. I am very sorry that this matter was brought before this House. The place where it should have been brought is the general meeting of the British Indian Association and if anybody has the courage of his conviction he had better bring the matter at the general meeting of the British Indian Association. I am sorry that this matter was brought here and is receiving the attention of some of the non-official members of this Council who are not members of the British Indian Association.

Before I sit down I would like to make one point clear. I wanted to draw the attention of the House to one particular matter. I think Shaikh Muhammad Habib-ullah is right to a certain extent. There are people whom I know who go and ask the advice of the District Magistrate. They go and tell him, "Sir, we are fighting here. Could you in the interest of peace and peaceful life of the district try to bring two friends together?" I know of a gentleman who has the honour to belong to the Nationalist Party and who some time ago in one of the last elections of the local bodies admitted before me that the best solution was for him to go and ask a certain officer to settle that matter. So when I find that some times people go and ask Government officials to decide a dispute and when the result of that decision is against them then they come and say that they were forced to do so against their will. If on the other hand there are instances where some officials have actually interfered with the elections, I think, I would be quite opposed to that. I do not want that election to these popular bodies should be influenced by district magistrates ; but at the same time I do not think we should always criticize the action of each and every official. I know that some people went there in their private capacity and they assured certain officials that there would be no trouble if they came and settled the matter. Both the parties were quite willing to abide by the decision, but when the decision was against one party it came

[Raja Saiyid Muhammad Mehdi]

out with all sorts of serious allegations. That was one instance. But if the instances were that the district magistrates went there of their own accord—I do not hold any brief for them—then the matter is quite different. Probably they have done so, but I would like to be sure about this before I say anything against them.

(The Council at this stage adjourned for lunch at 1 p.m.).

(After recess the House re-assembled at 2 p.m. with the Deputy President in the Chair).

***Rai Bahadur Thakur Hanuman Singh :** Sir, I rise to make a few observations on the motion which is before the House. In the first place, I would say a few words about the interference by Government officers in the election held by the British Indian Association. It is, Sir, a matter of common knowledge that Government officers favour one candidate or the other, and that every candidate invariably finds the support of Government officers of all grades. I venture to say that they always succeed in having the favourites of Government elected.

Shaikh Muhammad Habib-ullah : Who was the favourite of Government when the Maharajas of Mahmudabad and Balrampur were contesting seats ?

***Rai Bahadur Thakur Hanuman Singh :** The honourable member, who is himself a taluqdar, might have a list with him ; but I have no list of them. My friend, Raja Saiyid Muhammad Mehdi said that this question should not have been raised on the floor of this House, and added that it was a question to be considered by the British Indian Association. I regret to say that he is not here ; otherwise I would have asked him whether any taluqdar of Oudh has got the courage to say anything which may be distasteful to Government servants. There may be one or two, but not more than that. Government takes advantage of their weakness whenever there is an opportunity. Sir, during the recent elections to the municipal and district boards, Government servants in the districts have generally interfered. They have openly done what they could to have the Congress candidates opposed. Collectors, deputy collectors, superintendents of police and deputy superintendents of police have not only advised the voters to vote against Congress candidates, but some of them have gone into the interior of the districts to give this advice. One would like to know under which rule, regulation or law this is done. If the Government leaves local bodies to themselves to commit mistakes or to do the right thing, they will learn by experience, but if the Government pressure will continue to be exercised in the ways pointed out on the floor of the House, then these local bodies will always remain puppets and will never be self-governing bodies.

Here, Sir, I will again make a brief mention of what has been going on in the district of Ballia. The Collector and other Government officers are supporting one candidate to be elected as Chairman of the Education Committee, while the members of the District Board want

***Speech not revised by the honourable member.**

to have another candidate. On the 16th instant the Collector of that district wrote to the Secretary of the District Board at 10 o'clock in the night that election of outsiders to the Education Committee should not be made because he had received a communication from the Government to stop it and he had already submitted nomination of four members to the Government with a view to constitute the Committee. On the following day the aggrieved party instituted a civil suit and the Munsif issued an injunction to the Collector, enjoining him not to take any further steps in the matter. The Collector informed the Munsif that he had already nominated members to the Education Committee. The list of those nominated members had not reached the District office then, nor, I am told, has it reached even now. He might have recommended certain persons to the Government for its approval. I think, Sir, it was wrong on the part of the Collector to say that he had nominated him. He has not the power to nominate, and the Minister cannot delegate his powers of nomination to him. A recommendation to the Government is not nomination. Then, Sir, the district board was not given any time within which to make the elections of the members final. Under the rules and the law, such time should always be given. But that has not been done.

Sir, yesterday, Maulvi Fasih-ud-din Sahib, took a pride in stating that certain members nominated by the Minister voted for the Congress candidate. I do not know what he meant, but it clearly shows that the nominees of the Minister ought not to have voted for the Congress members. But some of them did vote.

Sir, my friend said that Shaikh Muhammad Habib-ullah Sahib has become a constant supporter of the Government. That, I think, is due to the company in which he sits when he is in this House. It was expected of him that he should have a policy of supporting and opposing the Government whenever there be need, but not give his constant support.

Shaikh Muhammad Habib-ullah : The need was there.

***Rai Bahadur Thakur Hanuman Singh :** It was there because my friend says so. I would ask him whether every action of the Government, and especially of the Ministers, is intended for the good of the people, for the better running of the local bodies, or that some of their actions are such that they should be resented by every reasonable man and every reasonable Councillor.

The elections of the local bodies are over ; here and there there are certain changes to be made in certain offices which will be finished in a day or two. So we should not bother our heads about them any more. If during the coming elections the Government interference is continued as it has been in connexion with the elections to local bodies then I venture to say that the contemplated provincial autonomy will be of no use to the province, as the members elected to the Legislative Assembly or Council will always support the Government

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Here, Sir, I will again make a brief mention of what has been going on in the district of Ballia. The Collector and other Government officers are supporting one candidate to be elected as Chairman of the Education Committee, while the members of the District Board want

***Speech not revised by the honourable member.**

to have another candidate. On the 16th instant the Collector of that district wrote to the Secretary of the District Board at 10 o'clock in the night that election of outsiders to the Education Committee should not be made because he had received a communication from the Government to stop it and he had already submitted nomination of four members to the Government with a view to constitute the Committee. On the following day the aggrieved party instituted a civil suit and the Munsif issued an injunction to the Collector, enjoining him not to take any further steps in the matter. The Collector informed the Munsif that he had already nominated members to the Education Committee. The list of those nominated members had not reached the District office then, nor, I am told, has it reached even now. He might have recommended certain persons to the Government for its approval. I think, Sir, it was wrong on the part of the Collector to say that he had nominated him. He has not the power to nominate, and the Minister cannot delegate his powers of nomination to him. A recommendation to the Government is not nomination. Then, Sir, the district board was not given any time within which to make the elections of the members final. Under the rules and the law, such time should always be given. But that has not been done.

Sir, yesterday, Maulvi Fasih-ud-din Sahib, took a pride in stating that certain members nominated by the Minister voted for the Congress candidate. I do not know what he meant, but it clearly shows that the nominees of the Minister ought not to have voted for the Congress members. But some of them did vote.

Sir, my friend said that Shaikh Muhammad Habib-ullah Sahib has become a constant supporter of the Government. That, I think, is due to the company in which he sits when he is in this House. It was expected of him that he should have a policy of supporting and opposing the Government whenever there be need, but not give his constant support.

Shaikh Muhammad Habib-ullah : The need was there.

***Rai Bahadur Thakur Hanuman Singh :** It was there because my friend says so. I would ask him whether every action of the Government, and especially of the Ministers, is intended for the good of the people, for the better running of the local bodies, or that some of their actions are such that they should be resented by every reasonable man and every reasonable Councillor.

The elections of the local bodies are over ; here and there there are certain changes to be made in certain offices which will be finished in a day or two. So we should not bother our heads about them any more. If during the coming elections the Government interference is continued as it has been in connexion with the elections to local bodies then I venture to say that the contemplated provincial autonomy will be of no use to the province, as the members elected to the Legislative Assembly or Council will always support the Government

***Speech not revised by the honourable member.**

[Rai Bahadur Thakur Hanuman Singh.]

whether it be an autocratic Government or bureaucratic Government. The elections will take place when the present Government is in power and its interference will have a very baneful effect on the future administration of these provinces. I will request the Government to leave the elections to the people and not to interfere in it. This is what the constitution demands and everyone expects this consideration from the Government. The Government should not follow the policy "Let the dogs bark, the caravan will go on its way." The Government is surely very jealous of those powers which have been taken away from it. It should learn to forget and let bygones be bygones. It should not try to get it back by foul or unfair means. If this policy of the Government is not discouraged by the people then they will be the sufferers in the long run. With these few words, Sir, I support the motion.

Raja Jagannath Bakhsh Singh : Before I speak on this subject I wish to put a question to the honourable member who has just spoken. The question is, which election in the British Indian Association is he referring to ?

***Rai Bahadur Thakur Hanuman Singh :** I am referring to the very recent election to the Presidentship of the British Indian Association, and I am referring to the election which took place also in Lord Meston's time between the Raja Sahib of Partabgarh and the Rana Sahib of Khajurgaon. Both of them were forced to retire and a third man was brought to the office of vice-presidentship.

Raja Jagannath Bakhsh Singh : Sir, I am grateful to the honourable member for reminding the House of antiquated history. This debate has raised interesting points. The honourable mover with all his ability and competency to speak on such matters and other matters has raised an important issue. But subsequent speeches have side-tracked the main issue. I shall therefore begin with one of those points which do not concern the motion before the House. I think I have been compelled to speak about some references which were made to the British Indian Association. I pointedly put this question to one of the honourable speakers as to which election he referred to. My friend said that he was referring to an election which took place before this constitution came into existence. This constitution has been working in these provinces for the last 15 years and 3 months. My honourable friend never awoke from his slumber to put these points before this House during these 15 years and 3 months.

***Rai Bahadur Thakur Hanuman Singh :** On a point of personal explanation, Sir. I want to explain my position. This is not the place to discuss the elections of the British Indian Association. As it was introduced by certain members who spoke before me to support the opposition to the interference by the Government in elections and as some honourable members, who spoke before me, referred to the interference by the Government saying that that was not confined to local bodies but it extended even to private bodies, such as the British Indian Association, therefore I had to say a few words about

***Speech not revised by the honourable member.**

it also. Otherwise I would never have said so because I know that this is not the place to discuss these things.

Raja Jagannath Bakhsh Singh : With due deference to the honourable mover I must admit that I have not misunderstood what he explained. It may be my own weakness, but there it is. Now, Sir, I shall still continue to speak on the point that I have taken up because I think that it is not only one honourable member who spoke on it but there is another honourable member, who is one of the four representatives of the British Indian Association, who has raised this point. Now, Sir, the latest election that took place in the British Indian Association under the rules made by this Government was last year. It was caused by the most regrettable death of our colleague Thakur Rampal Singh. In that election my honourable friend, Rai Bahadur Prag Narayan, was returned unopposed. I do not think the honourable members can refer to that. Before that the election that took place was for the Council. In that case also more than six years have elapsed, but not a single voice was raised of any due or undue interference by officials for any body. I therefore think that the honourable members who have taken these elections in view are entirely out of point to put this matter before the House at the present time. If they are referring to the presidential election which took place very recently, I submit that I entirely disagree with them that those elections which are not held under the rules framed by this Government which is responsible to this House should at all be discussed on the floor of this House. There are numerous private and public bodies in these provinces. I have never heard a complaint made in case of any private or public body the rules of election in which case are neither approved by this Government nor this Government has any hand in framing those rules. It is an important issue, I think, as to whether this House should discuss those elections which are entirely under the rules framed by those bodies. If it is contended that in the public interest they can bring those matters on the floor of this House I should submit that that public interest should have been of some importance, and if that public interest was of importance, the matter should first have been taken to the same body. Is there any honourable member in this House who is a taluqdar and who raised that point in the British Indian Association itself? There is a managing committee, there is an executive committee, and there are various sub-committees of that body. Some of the honourable members who are present in this House are perhaps members of more than one committee, but I do not think they ever raised their voice in that body. In the first place because the elections have not taken place under the rules formulated by the Government, and in the second place because the matter has never been referred to that institution, I think it is out of place to discuss this matter here. It has been said that there are no taluqdars who have the courage to speak on this subject. I submit, Sir, that there is no taluqdar who has the courage to speak on unnecessary and unreasonable points and if there is any he does not utilize his courage well.

Rai Bahadur Thakur Hanuman Singh : The question was raised by a taluqdar.

Raja Jagannath Bakhsh Singh : My friend says that the question was raised by a taluqdar. What was the decision ?

Now, Sir, I come to the proper motion. So far as I remember, the honourable mover, while introducing the debate, said that it was undue interference which he objected to. Surely undue interference by officials or by anybody against the existing law is objectionable, and if only a large number of cases are pointed out to convince the House there is no doubt that that objection will be upheld. On that point I should have first heard Government before making my remarks, but as a matter of importance which concerned us the taluqdars crept in between, I did not wait to hear Government. Perhaps it would have been too late for me to rise after the Government have spoken ; therefore I did not wait. On our side I think the views are divergent. My honourable friend has quoted two instances of glaring undue interference from local officials. In one case another honourable member gave his own personal experiences against the contentions advanced by the honourable mover. So the points that were raised by the honourable mover were reduced to one—Allahabad. There may be some honourable members who can give their own experiences, and if I may give my own experiences, I am afraid I have not heard any complaint of such interference. My honourable friend is entitled to give his experiences, and other honourable members give theirs, and if the majority think that undue interference on the part of officials in these elections is objectionable, then surely Government should take notice of that. Government cannot avoid that. I have therefore nothing much to say on that point. So far as my personal experience goes I have already stated them. In conclusion I think that the point has been rather exaggerated by the supporting speeches.

Rai Bahadur Thakur Hanuman Singh : May I put a question ? May I know from the honourable representative of the British Indian Association whether he does not know what happened in Rae Bareilly which has confused the whole situation in the district ?

Raja Jagannath Bakhsh Singh : The question seems to be very ambiguous. Besides, we have both exhausted our right of speech. We had better talk the matter over outside.

Rao Krishna Pal Singh : When the Raja Sahib stood up to make a speech I was anxious to hear a denial of the charge that has been brought forward by some of the honourable members that officials of Government had interfered with elections in the Taluqdars' Association. I waited patiently but did not find any such statement in his speech. He tried to avoid the point by saying that in one case it was ancient history while in the other the election took place under rules which were not framed by this Government. This does not satisfy, cannot satisfy, those who have been impressed by the instances which have been narrated of interference by Government officials.

Leaving that point aside I will now try to place before the House and the Government a few facts which I have been able to ascertain and which are relevant to the points under discussion. I do

not think that this matter requires very much attention. I doubt if the Government can deny that some officials, and a considerable number of them, had not interfered with the last elections. It is to my mind an open secret that officials have interfered. I cannot say that in every case, in every district, officers of Government have gone out of their way to help one candidate or the other but there is no doubt that they have interfered with the elections and they have done so in spite of the rules published by the Government of India, and in spite of the orders of this Government. Therefore, I think the matter is very serious. When the Hon'ble Minister visited Agra during the last monsoon, a local zamindar brought to me a notice, which is still in my possession and which I could make over to the Hon'ble the Finance Member, if he wanted to have a look at it, which was given to him by a tahsil chaprasi. Such notices were distributed by Government officers throughout the district saying that a meeting was being organized to meet the Hon'ble Minister for the sake of furthering the ends of the newly formed Nationalist Agriculturist party. Any inquiry, even the most superficial one, will prove that this was done, that notices were distributed and people were asked to come and meet the Hon'ble Minister and other officers of that party in order to discuss and decide what steps should be taken in furthering the cause of the party.

Another instance which must be in the knowledge of members of this House as well as people outside it, is the fact that an inquiry is going on with regard to the interference of one of the officers in Agra. Another case of interference has been the subject of an election petition in Ali-garh. I do not wish to betray any confidence, but not only the local officers, but officers much higher up have asked elected members of different bodies to take certain steps as regards the elections. Therefore, I do not think that the Government can entirely deny a glaring fact like this. Honourable members who do not wish to take notice of these facts cannot be convinced. Of course they will find plenty of scope for their talents in defending the Government. I am told by an honourable member who is himself acquainted with the affairs of the district board of Allahabad, about which reports have appeared in the papers, that all is not well as regards the elections of that body.

Sir, one other honourable member referred to the change in attitude which had taken in our party all so suddenly in criticizing district officers whom he thought we had praised only yesterday. Sir, I fail to understand the mentality of that honourable gentleman. I fail to understand when we showered praises on district officers as regards their work relating to this particular or any other matter. The point at issue yesterday was that the Hon'ble Minister had failed to make proper sort of nominations. The conduct of district officers was not under discussion and a reference to it should not be held to be relevant to the point. Therefore, Sir, I hope that those honourable members who are anxious to know facts with regard to the matter of interference on the part of Government officials at the last elections will be satisfied with the few facts, which I and other members of this

[Rao Krishna Pal Singh]

House, who spoke in favour of this motion, have been able to place before them ; and I do hope that the Government will consider it very desirable to issue fresh instructions, if they cannot accept the case for enquiry by a committee, so that such incidents may not occur again. Sir, by allowing such interferences we are striking at the very root of the system of the democratic government which this Government is going to bestow upon us. If such inference is permitted, they will be taking away by one hand what they are trying to give with the other. Therefore, I hope that the matter will receive due consideration of this House and of the Government.

Khan Bahadur Maulvi Fasih-ud-din : Sir, yesterday's motion of cut took nearly the whole day in connexion with its discussion and today, I am sorry to say, one motion has taken nearly three-quarters of the day. This fact, I think might show that we are not discussing the budget in a businesslike way. For that reason I will be very brief in my remarks. I am compelled to speak, simply because none of the members of my party has yet spoken on the subject, and mine will be the only speech on it. Sir, I stated in very unequivocal language yesterday that some of the District Magistrates had interfered with the elections, but I never meant that it was a general practice. In fact, I must make my position very clear. I think that the majority of the District Magistrates do not interfere with the elections, and it is the few misguided officers who do at times interfere. That, in a nut-shell, is my opinion on this question. Some of the members have made out that nearly all the District Magistrates of the province are in the habit of interfering with the elections, while others have made out that they are a set of angels and none of them has interfered. Well, Sir, I take the middle course and the opinion on this side is that only a small minority of them does interfere.

Now I come to the main issue which is before us. The honourable the Leader of the Opposition has made out two points. The first is that the District Magistrates of four districts, viz. Allahabad, Cawnpore, Agra and Lucknow, have interfered in the elections, and the second is that he has received letters from certain friends of his to the effect that the District Magistrates of those districts have been interfering in the elections. As to Lucknow I am convinced from the discussion which has taken place this morning that the Deputy Commissioner of Lucknow has not interfered in the elections at all. As to Agra, Mr. Joti Prasad has just assured me during the luncheon time that he was as sure as anything that his District Magistrate at least did not interfere in connexion with the elections. I do not know anything about Allahabad and Cawnpore and I hope that the Hon'ble the Finance Member will clear that point.

As regards the two letters that he has read, I am sorry to say that he has not given us the name of the writers, nor has he given us any indication about the district from which those letters came and if he had done so, then the members of those districts would have been in a position either to support his statement or to contradict it. So on a vague allegation like that I think this House is not prepared to

make up its mind one way or the other. I find that the Government only recently issued very strict injunctions to the district officers not to interfere in connexion with the elections and the instructions were as strict as one could possibly expect them to be, but if in spite of those instructions some District Magistrates did interfere and if any of us would bring their misdemeanour to the notice of the Government. I am sure that the Government would take immediate action and punish that District Magistrate. So the question, I think, is very simple and we need not have introduced any heat in a question of this kind. My position and the position of my party is simply this that so long as the honourable mover of this motion does not give us any definite information about the interference of the District Magistrates in connexion with those letters that he has read, we shall not be prepared to vote with him.

Pandit Shri Sadayatan Pande : Khan Bahadur Maulvi Fasih-ud-din has been dwelling upon the fairness and equitable attitude of the majority of officials and District Magistrates in the matter of elections. I would have had no reason to differ from him on this point but the numerous instances that have been cited this morning and this afternoon on the floor of this House, coupled with my own personal experience in this matter, have emboldened me to say something about the attitude of the District Magistrates in the matter of undue interference by them in elections. We have been in the provincial and district politics for some years past, but we have never noticed such undue interference by the District Magistrate as we have seen particularly in this case. I would ask the honourable member who has just sat down what remedy he proposes to cure this evil which is gaining ground from day to day. He described the District Magistrates and high officials who did undue interference as "misguided officials." I think the Government have laid down certain rules about elections and the attitude which the officials should take in such matters. But if high and responsible officials go out of their way and violate the rules themselves and if such a responsible officer as the District Magistrate himself violates the rules, God alone knows what will be the condition of his subordinates. The Khan Bahadur has further pointed out that Government will take notice of the misdemeanour of District Magistrates in this particular matter and punish them adequately. Indeed, the last two or three words of the honourable speaker have appeared to me as somewhat ridiculous. There have been cases, in this province, in which the District Magistrates have by the wrong exercise of their powers and discrimination been responsible for unrest or disturbance at several places. But what has happened to them? Nothing so far as I know. So there is no question of punishing the officials. If the Government were only to take a stiff view of the attitude of the concealed action which the District Magistrates are generally taking nowadays, I think that would be enough to make them go the right way. I would sit down by citing one example from Mirzapur. Very recently the election of the Chairman of the Education Committee of the district board took place there. Well, Sir, I am

[Pandit Shri Sadayatan Pande]

pained to say that Mr. H. Minson, I.C.S., the District Magistrate of Mirzapur, played an undesirable part in that affair. Although his attempts proved absolutely futile, he left no stone unturned to undo the elections of the education committee. He set to work his subordinates—I would not name them—to bring undue influence to bear upon the members of the board so that they might vote for a particular person for the chairmanship of the education committee of the board. When the education committee had been constituted, he made another bold attempt to press the members of the committee not to vote for a particular person for chairmanship. He also went so far as to write letters to certain persons, but those letters were not to be delivered but simply shown to them by subordinate officials. This has happened there. I think such an interference by responsible officials like the District Magistrates does not look decent. I know very well that the Government will never defend such actions of the District Magistrates and will issue strict instructions for their guidance in future. The democratic system is being rendered futile to a great extent by this kind of interference which should not be tolerated by Government.

Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad :

خانصاحب صاحبزادہ حاجی شیخ محمد رشید الدین احمد -
جناب صدر اس کت موشن پر چند الفاظ عرض کرنا چاہتا ہوں اکثر یہہ
دیکھا گیا ہی کہ کانگریس پارٹی نے ایسکشن میں حصہ لیا ہی جس کی
مثال خود اس ہوس میں موجود ہی ایک آنہیل ممبر مسٹر رام چندر ایم ایل
سی کو جو یہاں موجود ہیں کانگریس کے ایک بڑے لیڈر نے میزبانی میں جن کا
نام لینا میں مناسب نہیں سمجھتا (ایم ایل سی صاحب کو) بلوایا اُن کے ساتھ
حرکات شیعہ کی گئیں جن کا بیان کرنا میں اس کونسل کے سامنے مناسب نہیں
سمجھتا اتفاق سے نواب جمشید علی خان صاحب ایم ایل سی کے مقابلہ میں
بیتم سنڈھ تھے -

The Deputy President :

یہاں پر مسئلہ ریور بحث سرکاری interference کے متعلق ہی لہذا اس
کے متعلق اگر آپ کچھ فرمانا چاہتے ہیں تو فرمائیے -

Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad :

جیسا کہ سرکاری افسران کا مداخلت کرنا بیان کیا جانا ہی اسی طرح سے
کانگریس والوں کے جو ریویڈنٹ سیکریٹری اور بڑے بڑے لیڈر ہیں اور انہوں
نے یہ مداخلت کی ہی یہاں تک کہ ایم ایل سی صاحب کو پکڑوا کر بلوایا
بیان کرنا ضروری ہی چونکہ یہاں ایم ایل سی ہیں لہذا میں مفصل بیان کر کے
اُن کی توجہ میں کرنا مناسب نہیں سمجھتا سنا گیا ہی کہ اُن کو کان پکڑوا کر اُٹھایا
بتھایا گیا -

The Deputy President :

اس کے متعلق ذکر نہ کیجئے آپ کو اگر سرکاری افسران کے متعلق کچھ کہنا
ہی تو فرمائیے -

Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad]

تسٹہرکت مجسٹریٹ میڈیٹھ نے کوئی مداخلت نہیں کی بازجوڈیکہ ایک ایم ایل سی گورنمنٹ نامینڈیت ممبر کو کانگریس والوں نے مجبور کر کے ووٹ اپنی پارٹی کو دلواایا سرکاری افسران نے کوئی مداخلت کسی اور جگہ بھی نہیں کی ہی ایسی بہت سی مثالیں ہیں لیکن چونکہ ممانعت کی گئی ہی لہذا میں ختم کرتا ہوں اور ان چند الفاظ کے ساتھ اس کٹ موشن کو oppose کرتا ہوں *

(Here the Hon'ble the President resumed the Chair at 3.5 p.m.)

***Rai Rajeshwar Bali :** Sir, as only two speeches have really been made in opposition to the motion of my friend, the Leader of the Opposition, I should have preferred not to intervene in this debate at this late hour, but I have been constrained to do so, firstly, by the speech of my friend, Shaikh Habib-ullah Sahib, and, secondly by a certain *obiter dictum* which has been laid down by my friend, Raja Jagannath Bakhsh Singh Sahib. I have been used to the thunder and clapping of my friend, Shaikh Habib-ullah Sahib, at other places, but I have thought that that technique of appealing to the audience was reserved for those places and would not be applicable to this House. I am still surprised to find what has led him to adopt that heat and that method of argument which he adopted today in this discussion. We have been accustomed to hear his speeches ; and we have been either influenced or otherwise according to the quality of those speeches. But I think that this is one of the rare occasions that he has shown such heat, and where he has so gone out of his way in his zeal and enthusiasm as to attack and bring in matters which really do not relate to the motion at all. In his zeal he has attacked the Liberal Party as if this motion had to do something with this question. He has brought in unnecessarily the question of Allahabad, which according to him affects even the officials, and I am not a little amused to hear him accusing my friend, Mr. Chintamani, of irrelevancy. If he has become irrelevant, it is because he did not follow him closely. Even the worst enemies of him will not think that he is not clear in ideas. This is what has happened ; and I do not wish to detain the House on these unimportant matters.

I shall now come to the matter under discussion. Sir, before I come to the question, I would like to clear one misunderstanding, which seems to have cropped up in the discussion relating to the British Indian Association. My friend, Chaudhri Muhammad Ali Sahib, complained that just as it was desirable that the officials should not interfere in elections to local bodies, it was equally desirable that they should not do so in the case of elections to the British Indian Association, to which an objection has been taken that this House can discuss only those instances which relate to elections to this body, and that it is no business of ours to raise and discuss in this House any interference which may have been made by officials in elections relating to it. I think that this is an absolutely wrong position to take. The argument of my friend is that it is a private body, and that complaints should be made to the general body or the executive committee of that Association, and should not be brought before the House.

*Speech not revised by the honourable member.

Raja Jagannath Bakhsh Singh : What I said was that at least in the case of those institutions, the elections which took place under rules other than those framed by the local Government, a complaint should be first made to those bodies, and then the matter should be referred to this House.

***Rai Rajeshwar Bali :** If my friend will look at his speech, he will find that he did not say so. He said that if a complaint relates to a body whose rules are framed by itself, then it should be made to that body and not to this House. However, if we accept the modified form in which he has put it, what is it that he wants? He wishes that if there is a complaint that matter should go first to the British Indian Association and if the British Indian Association fails to give redress, then it should come before this House. Suppose my liberty is unduly interfered with by a police officer, is it not my duty that I should bring that matter up before this House? His position would have been perfectly correct if that complaint had been urged against a member of the Association, but here the complaint is against an official of the Government. As representatives of the public here it is our duty to bring this matter before this House when it relates to an official of the Government. Suppose as an individual some local official interfered with the personal liberty of a member of this House or of any person, well, Sir, we should certainly not first go to the members of the family of that individual and then come before this House. That would be a very absurd position to take. Therefore, my friend Chaudhri Muhammad Ali was perfectly justified in bringing that complaint to the notice of this House and asking Government to see that not only there is interference of the Government officials in the election to local bodies but also in the case of election to private bodies like the British Indian Association. I think that is a perfectly legitimate complaint which he has uttered and this House is the proper forum for making such a complaint.

Now, Sir, the main question under discussion is whether interference has been made at the last elections by the officials of Government or not. I think he would be a bold man, among non-officials particularly, who would be able to stand up and say that no such interference has been made. There may be districts where there has been no interference. My own district has been one of the few where there has been absolutely no interference. I do not generalise like my honourable friend, Shaikh Habib-ullah Sahib, but I say that there have been many cases of glaring interference by district officers in the elections to these local bodies, and it is to these cases that we have to turn our attention. Sir, I believe it will be in the experience of almost everyone of us at one time or other when such interference has been made. I do not wish to bring any personal matters, but if I am pressed I can cite examples which are within my own knowledge. I can cite names of the aggrieved persons and I can cite the names of the officials who were responsible for these interferences not only in the case of elections to local bodies but in the case of elections to the British Indian Association. I can cite recent examples.

**Speech not revised by the honourable member.*

Sir, to me it is a matter of principle. It does not matter whether there have been cases of interference where they were made in support of persons whom I was also supporting, or when they were made in cases of persons whom I was opposing. That is not the point. The point is that there has been such interference and it does not matter whether the candidate whom I was supporting has won through that interference or he has lost. There was official interference in one of the elections in my district in my own case, which went against me, and I can quote the instance of a case in one of my own elections where the Government went so far as to instruct the District Magistrate to support me in my candidature. At first I had to object to it ; later on I had to beg and implore the Government to issue contrary orders.

Raja Jagannath Bakhsh Singh : Why ?

Rai Rajeshwar Bali : Because, as I said, on principle—whether it is to my advantage or disadvantage—it is absolutely wrong that Government should interfere in these elections, and if I had not done it, my friend, Shaikh Muhammad Habib-ullah, would have been saved many days hard labour. I need not make any further reference to that as it is a personal matter, but it is within my personal knowledge that officials are inclined to interfere in these elections and to support one candidate or the other. I think that every member of this House should look at this question not whether he has gained on account of this interference or that he has lost, but from the point of view of principle. It is not a fair contest that the might and the strength of the officials and the prestige which they command should be placed at the disposal of one party alone. It is most unfair that it should be so, and it is such interference which is to a great extent responsible for the failure of Local Self-Government. How can Local Self-Government flourish and grow on healthy lines if it is to be interfered with in this way by the local officers (?) You do not allow the people to exercise their right of vote ; you do not allow proper persons who would be able to influence the electorate on proper and sound lines, but when wrong people come in and when they fail to discharge their duties, you say that self-government is a failure in India ; we are unfit for any form of self-government. We are not given proper opportunities to develop that power ; we are not given proper opportunities to exercise that power and still we are blamed for not being fit for any form of self-government. Sir, if that has been the position in the case of elections to local bodies, I do not know what will happen when there will be elections for the first reforms Council, when the so-called Provincial Autonomy will come into existence. It does not matter whether it affects me personally—whether it is to my advantage or disadvantage, but it is a question of principle. If the electorate is not allowed to exercise its right of vote properly, you cannot blame us if the Provincial Autonomy or Local Self-Government, or anything of that sort, fails. It is for this reason that I strongly support the motion which has been made by my friend on my left.

The Hon'ble the Minister for Local Self-Government : Sir, I should like at the very outset to make it clear that no instructions have been issued by the Government to the local authorities to unduly interfere in the elections of local bodies, and what is even more, there is the Government Servants Conduct Rules, of which honourable members must be aware. So it is clear that so far as Government is concerned it could not possibly have indulged in any such indiscretions.

Now coming to the question that there has been undue interference on the part of the local authorities, we have got very clearly to see as to what the allegations are ; whether there is any definiteness about it ; from what direction it does come ; where it did happen and whether those facts are so incontrovertible that some action is called for. My friend, the Leader of the Opposition, has indulged in vague general allegations. No doubt he has named some of the districts where he says such a thing happened, but he has come forward with no definite allegations. He read out certain letters, but he did not mention the names of the persons who had written them. He simply said A, B and C, and so on. I think that sort of allegation is far too vague for anybody to take serious notice of. My honourable friend mentioned Allahabad. There is my friend from Allahabad who is present here and he says that there has been no interference on the part of the local authorities. Here is an honourable member present Shaikh Habib Ullah Sahib, who has categorically denied that there has been any interference in Lucknow. Then there is the member for Agra. He also denies any interference there.

Pandit Joti Prasad Upadhyaya : By the District Magistrate.

The Hon'ble the Minister for Local Self-Government : So these are all vague allegations. I do not say that some mistakes might not have been committed ; I do not say that there may not have been some misunderstanding ; I do not say that there may not have been really genuine cases where the people might have felt aggrieved. But I do hope that those who really want things to run smoothly and feel that there should be no real bitterness of feeling where there is none meant to be, will realize that we must take a charitable view and not import any heat into this debate, because after all, as I have already said, there may have been only some mistakes and misunderstandings. My honourable friend, the Leader of the Opposition, will probably say again that there is no occasion for mistakes, that there is no occasion for a misunderstanding and all that kind of things. But we must bear in mind the human nature and shortcomings. Such things do happen and we have to take a just and reasonable attitude so that there may be no unpleasantness which might be unfortunate. In the interests of the boards themselves I have always felt that the co-operation of the local authorities in the various activities of the local bodies is of vital importance, and how are you going to secure that co-operation ? Are you going to secure their co-operation by simply attacking them ? There are sometimes cases where mistakes are unwittingly committed, but it is obvious that you must take a charitable view of such cases and approach this problem in the spirit of "give and take." My friend has not been able to make out any definite case and he has simply

indulged in generalities which do not call for any inquiry into the conduct of these authorities. If any clear case had been made out, then probably my colleague, the Hon'ble the Finance Member, to whom my friend, the Leader of the Opposition appealed, would have looked into it and seen what could be done to avoid such things happening again.

I do hope that the House will approach this problem with an open mind and in a charitable spirit and will not be inclined to take the view that my friend, the Leader of the Opposition, is inclined to take. It does not matter whether there is any definite allegation or not. If on suspicion an inquiry is to be set up into the conduct of local authorities, I do not think there can be anything more undesirable from public point of view than that. With these words I do hope that my friend, the Leader of the Opposition, will see his way to withdraw his motion.

The Hon'ble the Finance Member : Mr. President. This has been a very long debate and it is evident from the number of speeches which we have listened to that the House regards this subject as one of great importance, and that it was anxious to impress that view upon the Government. Apart, Sir, from the motion which has been made by my honourable friend, the Leader of the Opposition, certain other matters relating to the British Indian Association were at an early stage, I think rather unfortunately, imported into this debate; and I would like to explain why I do not propose to allude to those matters any further. What I feel is this. The British Indian Association is an autonomous body which is fully able to look after its own affairs. And, Sir, if it is the desire of the Committee of the British Indian Association or its members to bring before Government any matter which it considers vital to its interests, I feel sure that it can and will do so without necessarily bringing the matter forward in this House. I do not mean to imply that it is irrelevant here and that it is not the business of the House to consider such matters: but I think it is more proper that matters of this kind should be brought before Government in the manner I have described. Therefore, Sir, I will, with your permission, leave that part of the debate unalluded to in the reply which I am now making.

With regard to the position of local bodies, my Hon'ble colleague has just spoken and I propose to devote this reply to the requests made by the honourable mover. He made two requests. First he enumerated five instances, I think I am right in saying five, of what he described as improper interference by Government officials in elections. I do not believe for a moment that in each case the District Magistrate was the person alleged to have improperly interfered, though a number of later speakers seemed to refer to the District Officer as in every case the culprit or the person who had not acted in accordance with the rules. This, I am sure, was not the case, and I am sure that my friend, the Leader of the Opposition, is too fair-minded a man to make any suggestion of that kind. Naturally, Sir, in describing these cases he refrained from giving the names of the persons concerned. This is entirely appropriate and in accordance with the usage of this House.

[The Hon'ble the Finance Member]

It is a usage which, I was sorry to observe, one later speaker omitted to follow. Now, Sir, the honourable mover read extracts from two or three letters which he had received. I presume, Sir, that the honourable mover had assured himself that the authors of these letters were credible and probable witnesses and that what they said could be taken to be reasonably accurate so far as it was within the knowledge of the writer. We all know, Sir, that in times such as these, when elections are held, feelings are roused and when the disappointed candidates and others are informed by their supporters that various means have been adopted by their opponents to secure their own success and their rivals' failure, we know, Sir, that on these occasions people are apt to leap to conclusions and to assume the truth of the things which they hear, in a way which they would not do in cooler moments and after more carefully weighing the statements made. But, Sir, I understand that my friend the honourable mover is satisfied that those allegations may be true or at all events deserve to be investigated. That being the case I am prepared on the part of Government, if he will after this debate is concluded give us all the details required to enable us to investigate those charges, to have them gone into and investigated. I will do my best, Sir, to see that the investigating authority is an impartial one.

A reference was made by a later speaker to some inquiry that was either in process of being made or had just been made. I may say that for my own part these particular allegations came to me today for the first time ; but I am aware that there has been one case in which an inquiry was made and Government was satisfied that improper action was taken by a certain officer. Government has already given orders that he should be told clearly that Government was displeased with his action, and he has also been transferred to a part of the province at a considerable distance from the scene of his electioneering exploits. He was a young and inexperienced officer, Sir, and I believe he acted in good faith without thinking of his obligations as a government servant.

Then, Sir, the honourable mover asked Government to give an assurance for the future. Now perhaps the best thing I can do is to read the rules which are applicable to such cases. They are quite brief, and they have been very recently revised ; only about three months ago. The rules are as follows : I will only read out such extracts as are necessary—

“No government servant shall canvass or otherwise interfere or use his influence in connexion with or take part in any election to a legislative body, whether in India or elsewhere.”

There is a proviso here, Sir, that the government servant can exercise the right of vote if he is qualified to do so, but that if he does, he must vote in such a manner as will give no indication of the way in which he voted. Then, Sir, “A government servant who addresses the electors, or in any other manner publicly announces himself as a candidate for election to a legislative body shall be deemed for the purpose of sub-rule (2),” that is the rule I have just read out, “to

have taken part in an election to such a body.” And the last part of this rule reads—

“The previous sub-rules (2) and (3) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of government servants required or permitted by any law or order of the Government for the time being in force, to be a candidate for such a body.”

Sir, I think these rules are perfectly direct, categorical and unequivocal, and I should be false to my position if I had any other intention than that of enforcing them strictly in future. Therefore, Sir, I have not the slightest hesitation in giving my friend an assurance that the rules that I have just quoted will be observed in future, as they ought to have been observed in the past.

I do not stand here before the House to deny all the allegations which have been made. I am perfectly well aware, Sir, that government servants are very numerous, that some of them are inexperienced and some of them either do not know or have forgotten some of the rules which they are enjoined to observe and that on occasions their inexperience or their enthusiasm leads them astray as may have recently occurred. I should like to say that it is not seldom the case that candidates themselves place government servants in a difficult position by going to them and asking for their assistance or their advice. They even sometimes go and ask officers which way they would advise them to vote. This is a most insidious way of obtaining what really amounts to support; and it is a matter about which an experienced government servant will certainly be on his guard, while those who are less experienced or who are inclined to be rash are sometimes led away into making a mistake: I think we should sympathize with government servants who find themselves in such a difficult position. That, however, is no excuse for the government servants who break the rules which are enjoined upon them. As I have said, Sir, I will undertake to make an inquiry if the honourable mover will give me material on which to base it. I have also given this undertaking with regard to the observance of the existing rules in future.

* **Mr. C. Y. Chintamani** : Mr. President, nearly ten years ago when I was a candidate for election to this Council a predecessor of the present Chief Secretary warned a prominent citizen of Partabgarh to see that I did not succeed because if I came back to the Council I was certain to waste half the time of that body. I fear, Mr. President, the length of the discussions yesterday and today and the two motions for which I have been responsible might possibly be held to be a justification *ex post facto* of the objection of that previous Chief Secretary to my return to the Council. I congratulate myself, however, that the discussions both of yesterday and today have been highly fruitful. Yesterday the speeches that were made showed that while opinion might be divided there was no attempt on the part of any member to justify any action on the part of any member of Government which

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might offend against the canons of propriety, and in today's discussion the majority of honourable members have supported my main allegation that officers of Government, not all but some, do betray a tendency to take an interest in elections which by virtue of their official position they should not take. But the most fruitful result of today's discussion is the speech which the Hon'ble the Finance Member has made just now. I shall come to that presently. It was a canon of debate laid down by the great Gladstone that a speaker should decide in his own mind before he began to speak, before arranging the matter of his speech, whether he wished to leave behind an impression that he was satisfied or dissatisfied. If he wanted to leave behind the impression of dissatisfaction he should reserve to the end the unpleasant parts of his speech, so that that might be in the mind of the audience when they left. If on the contrary he wished to end with a note of satisfaction and thankfulness he should dispose of the unpleasant matter first, to put out of the way the unpleasant rubbish and then come to the more pleasant part. As I am so satisfied with the result of the debate that I would not like to leave any unpleasant impression behind I shall follow the canon laid down by the greatest of the orators and debaters and dispose of the unpleasant rubbish first.

I come to the speech that immediately followed me—the speech of my honourable and eloquent friend Shaikh Muhammad Habib-ullah. He first of all accused me of having made what he called a commercial statement. Although public memory is notoriously short, it is not so very short, I hope, that honourable members would have forgotten what passed in the debate raised by Thakur Muneshwar Bakhsh Singh. By the time I rose to make the motion that stood in my name a number of non-official members complained that the cost of the publication of notices under the Encumbered Estates Act and the Agriculturists' Relief Act was too high, and they made an appeal to the Government to see that the cost was reduced to a reasonable figure. The Hon'ble Finance Member in reply advised the complainants to appeal to the editors of newspapers to be more considerate to them. As I happen to belong to that tribe I thought I should take notice of it and in order not to be guilty of irrelevancy in the body of the speech relating to the motion which I made, I therefore disposed of that reference first. If that was irrelevancy I plead guilty. But the applause with which my statement was received by honourable members in all sides of the House did not show that they regarded my statement as irrelevant. It showed on the contrary that they welcomed that statement. That was a sufficient reply to the complaint made by Shaikh Muhammad Habib-ullah.

Next, Sir, he compared me with a wounded tiger. It was a distinguished piece of originality on the part of that genius to have thought of a mild Madras Brahman and a tiger in the same breath. But, Sir, if I was a tiger, and if further I was a wounded tiger, the honourable member (I do not know whether he is a *shikari*) should have been more careful. *Shikaris* have told me that a wounded tiger is the most dangerous of all tigers. A tiger which has received a bullet wound but was still living would fall upon the

shikari with greater ferocity than a tiger which had escaped the bullet, and I hope the honourable *shikari* (I am told he is one) will have no serious cause to regret the comparison which he made or the offence which he gratuitously gave to his wounded tiger, by the time I concluded my reference to him. He paid me a very great compliment by telling me that policemen were cleverer than myself. In a debate that took place at a meeting of this House held at Naini Tal, the honourable member as sponsor of a singularly unsuccessful motion for the abolition of armed police spoke of the utter lack of intelligence of the armed police and their consequent inutility. I am quite prepared to think that I am less clever and less intelligent than my honourable friend's utterly unintelligent policemen. It is notorious that I am lacking in cleverness. If it were not would I be ploughing the sands in sessions after sessions of the Council on the wrong side of the Chair? Just a little dose of cleverness, and I would have found my seat among the angels on that side. As a matter of fact I would not have become foreign to angels at all: I should have become an angel. Then comes the reference to the impurity of the atmosphere of Allahabad. I will reply to him by a quotation from a paper which is the favourite—the "*Pioneer*." When Sir Harcourt Butler was taking steps most assiduously for the removal of the last vestiges of the capital city from Allahabad in favour of Lucknow, the "*Pioneer*" told Sir Harcourt Butler that he was anxious to run away from a place which was physically, morally and mentally purer than that to which he was running away. The honourable member took great credit for his support of the candidature of Chaudhri Khaliq-uz-zaman in Lucknow. He boasted of his anti-Congress proclivities and yet he said he supported his candidature; and a highly respected lady—not altogether unrelated to him, Begum Habib-ullah—a nominated member, in spite of her being a nominated member, voted for that Congress candidate. Certainly, thereby hangs a tale. The hereditary friendship which Shaikh Muhammad Habib-ullah bears to Mr. Ali Zaheer and his father furnishes an ample explanation of this incident. Then, Sir, Shaikh Muhammad Habib-ullah fell upon me for asking for an impartial inquiry. He said that these editors of newspapers all for an impartial inquiry and when an impartial inquiry is held and the result of the inquiry is unsatisfactory to them, they at once question the impartiality of that inquiry. Therefore what is the good of that inquiry? And where in the world is an impartial inquiry? I suppose, Sir, editors of newspapers being very humble men prefer to take lesson from retired district magistrates and present taluqdars. Shaikh Muhammad Habib-ullah was the Chairman of the non-official committee of inquiry into the Lucknow riots in 1930. It was due to his activity in the main that the Government were obliged to place the then District Judge of Lucknow—Mr. Leslie White—on special duty in order to conduct that inquiry. Shaikh Muhammad Habib-ullah took part in that inquiry. The result of that inquiry was not satisfactory to him. Now,

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if there can be any inquiry which deserves the description of an impartial inquiry, it certainly was the inquiry by a judicial officer, an officer in the position of a district and sessions judge, one who did not belong to the subordinate service, one who could not be injured by the Local Government, with whom was not associated a single executive officer, with whom was not associated a single politician, with whom was not associated a single Hindu or a single Muslim. The result of the inquiry was found to be unsatisfactory by him—certainly, I will say—by Shaikh Muhammad Habib-ullah; and in the debate that took place in the Council at Naini Tal on Mr. Leslie White's report it will be seen by any one who would refer back to those proceedings, whether Shaikh Muhammad Habib-ullah was among those very virtuous and charitable men who never questioned the impartiality of the inquiry conducted by a judicial officer, or who allowed his own personal knowledge of the incidents to colour the judgment which he formed of impartiality or lack of impartiality. So, if I erred here, I erred as his most humble pupil. The last charge he made against me was that yesterday I ran away from the result of the discussion which I had initiated. He has charged me of impropriety of my conduct in having withdrawn the motion I made without giving the Hon'ble Minister here . . .

Shaikh Muhammad Habib-ullah : Not impropriety but as a parliamentary tactician.

Mr. C. Y. Chintamani : Did you consider it improper or proper ?

Shaikh Muhammad Habib-ullah : Proper as a tactician.

Mr. C. Y. Chintamani : If Shaikh Muhammad Habib-ullah considered my withdrawal proper, there was nothing that could be more inconsequential, more insignificant or trifling or unmeaning than his reference to it this morning, but those who heard him this morning would have had no doubt in their mind that he felt that it was an act of cowardice on my part to have announced my intention of not proceeding with that matter before the Hon'ble Minister has a chance of making a second speech in reply to me. In reply to this I have only to remind the honourable members. . . .

Shaikh Muhammad Habib-ullah : You are never a coward ; I never attributed cowardice to you.

Mr. C. Y. Chintamani : Thank you very much. So I am not hopeless altogether. I have only to remind the honourable members of . . .

Shaikh Muhammad Habib-ullah intempted here again.

The Hon'ble the President : I would request the honourable member for Sitapur not to interrupt the speaker like this. He is constantly interrupting the honourable speaker.

Mr. C. Y. Chintamani : The statement I made twice yesterday evening that before I rose to make the motion I handed in writing to the Hon'ble the President the terms of the issue, namely, to draw

attention and I said that as I had drawn attention, my purpose had been served and I had no intention of proceeding further with the matter. Now whether the Hon'ble Minister made a second speech or did not make it was a matter between himself and the Chair and I do not see where poor me came in for an attack in that connexion except that any stick was good enough to beat me with as I did something which was not pleasing to him.

The next point I have to refer to now, leaving aside Shaikh Habib-ullah. I am glad to get him out of the way—

Shaikh Muhammad Habib-ullah : Thank you.

Mr. C. Y. Chintamani : Is the reference made to the election to the office of President of the British Indian Association. I entirely agree with those honourable members of that body who said that the internal affairs of that Association should not be discussed on the floor of the Legislative Council, but I also agree wholly with those other honourable members who took the view that where the grievance was against officers of Government, this was the proper forum and not the floor of the British Indian Association itself and I may state here what I heard that there was interference of at least two high placed officers in support of one of the candidates for Presidentship and I was not surprised to hear this and I will state why I was not surprised. An incident was referred to by my honourable friend, Thakur Hanuman Singh, that there were two candidates for election to the Legislative Council by the British Indian Association. The Lieutenant-Governor stepped in, asked the Commissioner of Lucknow to decide who should be the candidate and who should withdraw and the Commissioner of Lucknow ordered both of them to withdraw and ordered a third man to offer himself for election and that third man was elected unanimously. I criticized this action on the part of the Lieutenant-Governor in my capacity of editor. The Lieutenant-Governor defended himself before me. He told me that I was very wrong. He said "The British Indian Association is a unique body. There is nothing like it anywhere in India. That Association . . . (Here Shaikh Muhammad Habibullah cheered, on which Mr. C. Y. Chintamani remarked).

Mr. C. Y. Chintamani : You will cheer me at the end.

Shaikh Muhammad Habib-ullah : Let me cheer in the beginning.

Mr. C. Y. Chintamani : "That Association was a creature of the Government. Every taluqdar the moment he is born is *ipso facto* a member and until he is dead he cannot cease to be a member; he cannot refuse to pay subscriptions. The Government through the district collectors realize subscriptions for this body practically as if it were under the Court of Wards and therefore the Government had the duty and the right of interesting itself in the internal affairs of the British Indian Association and seeing to it that nothing wrong was done there." Well, if this continues to be the policy of the Government, the only forum which is the best for the discussion of such subjects is this. I have nothing more to say on that.

Shaikh Muhammad Habib-ullah : That Lieutenant-Governor is not here to contradict you.

Mr. C. Y. Chintamani : You contradict me as the. . . .

The Hon'ble the President : I would request the honourable member for Sitapur not to interrupt the honourable speaker like this frequently. I hope that I shall have not to repeat this request again.

Mr. C. Y. Chintamani : The honourable member may contradict me as the self-constituted apologist of everything governmental.

The Hon'ble the President : Never mind the interruptions. Will the honourable member go on with his speech ?

*** Mr. C. Y. Chintamani :** Even in the election or bye-election to the Court of Wards last year on behalf of the British Indian Association, at least some of the members of the public were in possession of information of official interference in favour of one of the candidates.

I pass on, Sir, to the speech made by the Hon'ble Minister for Local Self-Government. He said, "clearly state what your allegations are. What is the good of saying A, B, C, D, X, Y, Z and then running away ?" I wish he had gone for a tuition to the Hon'ble the Finance Member before he made that statement, for the Finance Member following him said, "Naturally"—this was the adverb which he used, "in accordance with the usage of this House the speaker, withheld the names," but if he privately supplied those names to him, he would make the inquiry. Further, if the Hon'ble Minister had ever been in the habit of reading or of remembering what he read, he would have seen that according to paragraph 51 (2) (6), which is a reproduction of Standing Order no. 16, by which every speaker here is bound, there was no other course which I could have followed than to substitute A, B, C, D, X, Y, Z for the proper names in that. The Hon'ble Minister said that it is only human that such mistakes should occur, and therefore we should take a very charitable view. I entirely agree that it is human that mistakes should occur, but it is also human, when mistakes are brought to the notice of the authorities, to investigate into those mistakes and to do one's best to minimize the chances of the recurrence of such mistake. He asked us to follow a policy of give and take. I do not know what his interpretation is of give and take. I do not know how he would distribute this give and take. Probably he would say, "I would give nominations and you would take from me anything that I would do", or probably he would say, "You would give me votes and take from me nominations." Whatever it may be, I am quite prepared for give and take and for live and let live. I would bring to the notice of the authorities any cases of wrong done by the officials, and let the authorities take this from me and give me in return a promise of an impartial inquiry into all those complaints. The Hon'ble Minister then asked me to take a very charitable view. I am prepared to do so, although charity has a very little place in politics. I am prepared to take a very charitable view. I do not ask for any strict punishment of officers whose conduct has been called into question. I am more concerned with the future than

** Speech not revised by the honourable member*

with the past. I want that the Government should take a warning from what has happened in the recent past in order to prevent a recurrence of such happenings in the near future.

Lastly, Sir, I come to that which is the most satisfactory part of the entire debate, and that is the speech of the Hon'ble the Finance Member. I have many times heard very satisfactory official speeches in this House as I have heard still more utterly unsatisfactory pronouncements, but I do not exaggerate when I say that throughout my Council life going back to the year 1916 I have rarely heard an official pronouncement more fair, more impartial, altogether more satisfactory than the statement which the Hon'ble the Finance Member has made a few minutes ago. He has candidly stated that where Government officers are so numerous it is quite likely that some mistakes were made and if they are made the Government are prepared to inquire and to take necessary steps. He has said that in one case they have already taken steps. He has promised that the moment the material which is to form the basis of an inquiry is placed before him, he will take immediate steps for proper investigation. What could be more satisfactory? The two requests I made to the Government were, firstly, an investigation into complaints regarding the recent elections to district and municipal boards, and, secondly an assurance with regard to the coming Council elections. He has given the promise of investigation, and with regard to the assurance for the future he has given it in the most unambiguous, most categorical and most emphatic language. He has read out from the rules. The rules are very satisfactory. What is less satisfactory is that the rules are not always enforced strictly. On that point the Hon'ble the Finance Member has anticipated me and has given an assurance that he will see to it that these rules are observed by all officers in the letter and the spirit. I offer my most profound thanks to the Hon'ble the Finance Member for the most splendid response which he has made to my requests. I am quite sure that high as is the estimation in which he is held by all who know him in the various parts of the province that estimation will, after the speech has been read in the districts, rise still more.

Sir, with apologies to Shaikh Muhammad Habib-ullah, I wish to say that my purpose has been achieved, and I do not wish to proceed with this.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : Sir I beg to move that under sub-head Legislative Bodies—A—Provincial Legislative Council—Total, a reduction of Re.1 be made.

My object in moving this cut motion is to draw the attention of the Government to the fact that in the present budget session of the Council we have not been given any non-official days. The usual practice for the last 15 years has been to give two or more days for non-official business and this is the first occasion, I believe, when non-official days have not been provided. They were as a matter of fact provided at first, but later on on account of the fact that a day or two were taken up in other business and the demands

Khan Bahadur Saiyid Jafer Hosain.]

were consequently moved on, that the two days set apart for non-official business disappeared. But I would appeal to the Hon'ble the Finance Member that he should provide at least two days after the Muharram holidays for non-official business.

The other point to which I would like to draw the attention of the Hon'ble the Finance Member is the fact that the report of the Delimitation Committee, so far as these provinces are concerned, has not yet been discussed on the floor of this House. Every other province has been given a day for the discussion of the report of that Committee and the Assembly also has either discussed that report or will do so shortly. Therefore I think that if a day is set apart for discussing that report, it will give an opportunity to the members to have their say on the constituencies that have been carved in that report. It is essential to know the feeling of this province before the report is finally placed before the House of Commons and the earlier it is done the better, because I understand that the debate is going to take place in the House of Commons on the 8th or the 10th of next month.

With these words I resume my seat.

The Hon'ble the Finance Member : Sir, I feel that I owe a public apology to honourable members, for the fact to which my friend, who has just sat down, alluded, viz. that we have had no days for non-official business so far during this budget session. This was due to the decision to give two days to the Unemployment debate which took place on 2nd and 3rd March. Those two days had been previously earmarked for non-official business. We also had on the original programme for the budget session two non-official days fixed on the 28th of this month and on the 6th of April. I am afraid the first of those days has been sacrificed to the Bill to amend the Land Revenue Act and to the two taxation Bills with which we dealt a few days ago. The result is that at present only one day for non-official business is left.

My honourable friend has referred to a desire, which has been expressed to me by a number of other honourable members, that an opportunity should be given to the House to discuss the Report of the Delimitation Committee. That is a request to which I shall be only too glad to respond, provided that the date on which we hold the debate will be early enough for the result of our debate to be communicated to His Majesty's Government in England in time to have any result on the decision of Parliament. The latest information which we have is that His Majesty's Government are very anxious to decide the whole question of the delimitation of constituencies before Parliament rises for the Easter recess, about the 8th of April, the idea being that if this can be done, the Government will be able to obtain the Royal Assent to the orders in Council immediately after the recess. This will enable the Government out here to start work at once on the preparation of the final electoral rolls before the end of April or at all events early in May. It is obvious therefore that the time available is very short. I did make a suggestion to the honourable the Leader of the Opposition that we could devote a day immediately to a debate on

this subject, if the House would agree to give up a day out of those allotted for the demands for grants. But the honourable the Leader of the Opposition expressed strong repugnance to such a course being adopted; and therefore I have done nothing more in this direction. What I have done is to inquire from the Government of India at Delhi whether they have any definite information with regard to the date by which the delimitation of constituencies will have been finally decided in England. If that date is, for any reason, likely to be postponed, then I shall be only too glad to allot the 6th of April for a discussion by this House of the Report of the Delimitation Committee. But if we receive the information that by that date a final decision will have been come to, then I hope that honourable member will agree with me that it would be a waste of time on our part to discuss the report when a decision has already been taken on its contents.

As regards further days for non-official business, I should be quite prepared to ask His Excellency to allot two days, if necessary, at the beginning of April, namely the 6th and 7th, for non-official business, if honourable members desire to re-assemble after the holidays which will commence on the 29th of this month. But if there is a consensus of opinion that it is not desirable to re-assemble for so short a period after a holiday of about 10 days, then, as I have already assured the House, I will take steps at the next session to give a longer period for non-official business, so that the shortage, if not the total absence, of non-official days in the current session may be made up. I hope that this assurance will satisfy my honourable friend who has just sat down, and that he will forgive our unintended deprivation of the honourable members of this House of their usual two or three days for non-official business.

Khan Bahadur Maulvi Fasih-ud-din : I would like to suggest to the Government to allot one day immediately after the Muharram holidays if that be possible for the discussion of the report of the Delimitation Committee. As to the allotment of two days for non-official business, I would suggest that immediately after the discussion two days may be allotted. I think many of us would like that idea, instead of having this session closed on the 27th or 28th.

Khan Bahadur Saiyid Jafer Hosain.—I am extremely thankful, Sir, to the Hon'ble the Finance Member for his sympathetic reply and his promise to allot the 6th of April, for the discussion of the report of the Delimitation Committee and also to allot two non-official days in this session after the Muharram holidays. I think a desire has been expressed by some honourable members to the Hon'ble the Finance Member to have the Delimitation Committee Report discussed, and I also understand from the talks that I had with some of the honourable members of this House that there was a desire that some days should be allotted for non-official business. I am thankful to the Hon'ble the Finance Member for having accepted these two requests of mine. In view of that, I beg to withdraw.

The motion was, by leave, withdrawn.

Thakur Jang Bahadur Singh Bisht : Sir, I beg to move that under sub-head Legislative Bodies—B—Election charges—Total, a reduction of Re.1 be made.

Sir, the time left is very short and I shall be as brief as possible. The subject that I wish to bring to the notice of the Government is one which refers to the representation given to the Kumaun Division. I will confine myself to the seat given to the Almora District. There was great dissatisfaction on the allotment of one seat to the Almora District. In this connexion a deputation waited upon the Delimitation Committee when it was at Naini Tal. Without going into details I may point out by reading from the report as to what the result of that deputation was. In paragraph 129 of the Indian Delimitation Committee Report, Volume I, they say :—"We felt that it was difficult to remain satisfied with constituencies the area and the number of voters in which were disproportionately great; we asked the Local Government in these circumstances to consider the possibility of finding two additional general rural seats for the Kumaun Division." By this he meant that one more seat be allotted to Garhwal and another to Almora. Of course Naini Tal had already one seat and they made no recommendations on its behalf. They further say :—"The Local Government now inform us that so far as area is concerned, while the total area of the Garhwal and Almora Districts is undoubtedly very large, the northern half of both districts consists mainly of uninhabited and largely unexplored mountain ranges, and that the resident population there (as distinct from migratory traders who pay annual visits to Tibet) is insignificant." I do not think that the information which had been given to the Committee was correct and I protest against it. Possibly it may have been years ago when these places may have been unexplored, but I certainly cannot imagine that any portions of the parts mentioned are still unexplored. As for the population, I do not know who those migratory traders are. I know what the Government meant. They meant the Bhutias who come out for trade. Those who come out certainly have their homes in these parts of the hills. It is hence positive that this information was given due to some misunderstanding. This is further cleared from the fact that during the last district board elections from these parts in question, there were four or five candidates, and the seats were keenly contested. The circumstances as mentioned by Government therefore do not exist as they did before. I am speaking of Almora District. I do not know what the position is as regards Garhwal. Even then, Sir, with this excuse the members were not satisfied and the Committee ultimately supported the case which I put forward today. They said : "We have carefully considered the matter in the light of the views expressed by the Government. We accept the proposed additional seat for Garhwal and we agree that it should be taken from the Jampur District. We are by no means satisfied that the district of Almora should not likewise receive an additional general seat to which we feel that considerations of population and voting strength

give it a strong claim. But in the light of discussions with the Local Government and in view particularly of the great difficulty of finding an additional seat which could be assigned to Almora, we are prepared, though with some hesitation, to accept their views."

So, Sir, the case of Almora District is absolutely proved and if any reason can be given against it, I submit it can not be correct. The Committee ultimately came to the conclusion that the claims were strong, and they were dissatisfied. I am not here to suggest to this Government to cut down a seat from another district or how to provide it. But it was the duty of this Government to see that every district had its proper representation, and in a case like this, where the voters are about two lakhs and where the area is double the area of at least other constituencies, their claims should not have been so easily overlooked. I hope the Hon'ble the Finance Member will understand what it means to travel ten miles a day, especially in the hill tracts for the elections. If we travel by stages for pleasure, it will take ten to fifteen days to cover the whole district—in each direction—I mean on each side, that is, North, South, East and West respectively. Moreover, I have read in the papers that the Assembly Committee also has gone into this case and has recommended an additional seat for Almora. Under these circumstances, my submission is that the case of the Almora constituency is absolutely strong, and a great injustice will be done to it if another seat is not provided, and I would request the Government to move in the matter.

(Several members rose)

The Hon'ble the President : There are only ten minutes left, and if the honourable members are anxious to get a pronouncement on the subject from the Hon'ble the Finance Member, they should give him an opportunity to give a reply.

Khan Bahadur Maulvi Fasih-ud-din : I fully sympathize with the motion of my honourable friend. Kumaun Division has been treated with scant courtesy in the matter of distribution of seats—both the Muslim seat and the Hindu seat. There ought to have been one seat for the Muslims for the whole of Kumaun, but we find that Kumaun has been split up into two parts—two of the districts have been joined with Baheri in the Bareilly District, and one district of Garhwal has been joined with Najibabad tahsil in the Bijnor District. The interest of Kumaun and its physical features are quite different from those of the plains, and for that reason I think that it is a big mistake not to have given one full seat to all the Muslims of Kumaun, and they ought to have given one non-Muslim seat more to Almora also.

Pandit Prem Ballabh Belwal : Sir, I wish I could have placed before this House all facts and figures in support of our just and rightful claims for more representation for Kumaun which I and the deputation that waited on the Indian Delimitation Committee placed before that august body. But as there is no time for making long speech I will

Pandit Prem Ballabh Belwal.]

only make a few remarks. The claims of the Kumaun Division for increased number of seats has been admitted even by the Indian Delimitation Committee and they were so much impressed that they actually suggested methods to the Local Government by which additional seat could be found. But as the Government was not prepared to consider even suggestions of the Delimitation Committee, they felt obliged, though with certain amount of hesitation, to accept the views of the Local Government. Sir, I will say that an injustice of the greatest magnitude has been done to Kumaun. Their political, social and material progress has been retarded for ever and there is no parallel in the history of Kumaun when such an injustice was ever done to the cause of Kumaun. When there were one hundred elected members there were three seats and when it is more than doubled now, there are only four seats. Sir, you know how difficult it is for us here in this House, being in a small minority, to make our voice heard in respect of our special interests which we have to look after from time to time. We had great hopes of the Finance Member who does not hesitate to call himself a Kamauni. But all our hopes have been brushed aside by the strange attitude he has taken and we do not know for what reason or for what fault of ours. The time being nearly over, I close my remarks, and resume my seat.

The Hon'ble the Finance Member : The assignment of constituencies to the Kumaun Division has presented a number of difficulties. In the first place, Sir, the franchise there, as is no doubt known to honourable members, is much wider than it is in the plains. This is due to the fact that the land revenue records are not maintained in the same way as they are maintained in the plains districts and also because the number of patwaris in the hill districts is very much smaller than the number in the plains districts. I may mention that in the whole of the Garhwal District, which is the largest district in the whole province in point of area, there are only 80 patwaris; and I think I am right in saying that in Almora, which is the fourth largest district, there are only 85. For these reasons it was found necessary by Government to recommend a wider franchise, which has the effect of giving practically manhood franchise, under the new constitution. That is the reason why the number of voters is so large, about one lakh of voters in each district. It is hardly fair therefore to compare the number of voters in the hills with the average number of voters in the plains districts, and then to say, "Look at the poor Pahari who has been done down."

Well, Sir, the actual distribution of seats which was recommended by Government was one general seat in Garhwal, one general seat in Almora, with one depressed class seat in Almora. In addition, Muslim seats have been allotted to the parts of the two districts in which the Muslim population is, I may say, almost completely concentrated, namely in Garhwal to Lansdowne, Kotdwara and the Government Estate in that neighbourhood, and in Almora to the Government Estate in Naini Tal, to Ranikhet and Almora. These parts of the

two districts have been combined with the adjacent portions of the nearest plains districts to form two Muslim constituencies. In this way the Division of Kumaun would have received two general seats—one depressed class seat and parts of two Muslim seats. I admit that this may seem rather a short allowance of representation. This fact so struck the Delimitation Committee that they asked this Government to make proposals for increasing the number of seats allotted to that Division. They suggested that we might add one general seat each to Garhwal and Almora. We were able to make proposals for allotting one other seat to Garhwal; but owing to the demands of certain plains districts which were stronger than those of Kumaun, the Government were regretfully compelled to give up the attempt to find an additional seat for Almora. They felt less embarrassed in leaving things in this position because the Almora district does get two seats in any case—one general and one allotted to the depressed classes. That, Sir, is the position : it may not be entirely satisfactory, but I should suspect that there are very few divisions in this province where there are not some points which still give rise to some dissatisfaction amongst the local inhabitants. I can only say that I am sorry for our inability to please the inhabitants of that division where I have spent many happy years and for which I would have willingly done more if it had been possible.

Thakur Jang Bahadur Singh Bisht : Sir, these reasons were, and must have been submitted to the Delimitation Committee. They were not satisfied that one additional seat should not be given to us. It is surprising that Government cannot see its way to allotting us this additional seat. I again submit, Sir, that the voting strength should be calculated along with the vast area over which it is spread. As regards the patwaris the Hon'ble the Finance Member has omitted to mention the area under the charge of individual patwaris. The time is short, so I would again submit that I am not satisfied with the speech of the Hon'ble the Finance Member and will request the Government to do their best in this matter. The Hon'ble the Finance Member who lays claims to be a Kumauni, should remember the saying that "charity begins at home." He should not serve out a stone instead of a loaf. I hope the matter will be considered with the attention it deserves.

The Hon'ble the President : It is half past four now. The original demand was for a sum of Rs.1,19,86,901 for General Administration. The Council has carried a cut of Re.1. The question is that the sum of Rs.1,19,86,900 be granted for General Administration.

The question was put and agreed to.

(The Council was then adjourned till the following day at 4.30 p.m.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Saturday, 21st March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (88)

The Hon'ble Mr. J. M. Clay.
The Hon'ble Kunwar Sir Maharaj Singh.
The Hon'ble Nawab Sir Muhammad Yusuf.
The Hon'ble Sir Jwala P. Srivastava.
Mr. H. Bomford.
Mr. J. L. Sathe.
Mr. A. B. Reid.
Mr. P. M. Kharegat.
Mr. A. A. Waugh.
Rai Bahadur Mr. Phul Chand Mogha.
Mr. R. T. Shivdasani.
Mr. H. J. Frampton.
Mr. F. Anderson.
Mr. Himmat Singh K. Maheshari.
Khan Bahadur Munshi Mushtaq Ali Khan.
Mr. Partap Shankar.
Rai Bahadur Ram Babu Saksena.
Sir William Stampe.
Mr. A. C. Turner.
Mr. R. A. Horton.
Lady Kailash Srivastava.
Khan Bahadur Maulvi Fasih-ud-din.
Rai Sahib Babu Rama Charana.
Mr. Perma.
Chaudhri Ram Dayal.
Chaudhri Jagarnath.
Chaudhri Baldeva.
Rai Bahadur Sahu Jwala Saran Kothiwala.
Mr. Tappu Ram.
Chaudhri Ram Chandra.
Chaudhri Ghasita.
Chaudhri Arjuna Singh.
Rao Bahadur Thakur Pratap Bhan Singh.
Rao Sahib Thakur Shiva Dhyani Singh.
Rai Bahadur Kunwar Girwar Singh.
Pandit Joti Prasad Upadhyaya.
Chaudhri Dhira Singh.
Rao Krishna Pal Singh.
Rai Bahadur Kunwar Dhakan Lal.
Thakur Balwant Singh Gahlot.
Rai Bahadur Mr. Brij Lal Badhwar.
Rao Bahadur Kunwar Sardar Singh.
Rai Bahadur Babu Manmohan Sahai.
Rai Sahib Babu Kamta Nath Saksena.
Kunwar Jagbhan Singh.

Thakur Keshava Chandra Singh.
Mr. Brijnandan Lal.
Rao Narsingh Rao.
Rai Sahib Ram Adhin.
Mr. Bhondur Ram.
Rai Govind Chandra.
Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Rai Bahadur Babu Jagadeva Roy.
Mr. Dahari.
Rai Sahib Rai Rajeshwari Prasad.
Thakur Giriraj Singh.
Thakur Jang Bahadur Singh Bisht.
Pandit Brahma Dutt Bajpai.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Lal Sheo Pratap Singh.
Thakur Muneshwar Bakhsh Singh.
Raja Jagdambika Pratap Narayan Singh.
Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. C. Y. Chintamani.
Rai Rajeshwar Bali.
Mr. Zahur Ahmad.
Syed Ali Zaheer.
Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Syed Yusuf Ali.
Khan Bahadur Shah Nazar Husain.
Nawabzada Muhammad Liaquat Ali Khan.
Mr. Muhammad Rahmat Khan.
Khan Bahadur Muhammad Hadiyar Khan.
Khan Bahadur Saiyid Zahid Ali Sabzposh.
Khan Bahadur Saiyid Jafer Hosain.
Khan Sahib Shaikh Afzal-ud-din Hyder.
Khan Bahadur Sirdar Muhammad Shakirdad Khan.
Shaikh Muhammad Habib-ullah.
Raja Saiyid Ahmad Ali Khan Alvi.
Raja Saiyid Muhammad Mehdi.
Mr. L. M. Medley.
Rai Bahadur Lala Anand Sarup.
Rai Bahadur Lala Bihari Lal.
Chaudhri Muhammad Ali.
Raja Bi-heshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Rai Bahadur Vikramajit Singh.

MEMBERS SWORN :

Sir William Stampe.
Mr. F. Anderson.
Mr. R. T. Shivdasani.

QUESTION AND ANSWER

STARRED QUESTION

DEPARTMENTAL EXAMINATION, 1936

*1. **Khan Bahadur Saiyid Jafer Hosain** (*absent*): (a) Is the Government aware that the next departmental examination in these provinces begins from 3rd April, 1936?

(b) Is the Government aware that this year the tenth day of *Moharram* which is a gazetted holiday and the greatest day of mourning among Muslims falls on 3rd April?

(c) Is the Government prepared to alter the date to some date two or three days later than 3rd April, and thus enable the Muslim candidates to sit for this examination?

The Hon'ble the Finance Member (Mr. J. M. Clay): It was brought to the notice of Government on the 11th March, 1936, that the tenth day of *Moharram* would fall on the third day of April instead of on the first or second day of that month. Steps have already been taken to alter the date of the next departmental examination.

THE BUDGET 1936-37: DISCUSSION OF DEMANDS
FOR GRANTS—(*continued*)

GRANT No. 20. 35—INDUSTRIES

The Hon'ble the Minister for Education: Sir, I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs.12,91,388 be granted under the head "Industries" and to move that this sum be voted. In addition, Sir, there is a sum of Rs.36,067 non-voted, making a total demand of Rs.13,27,455. The amount provided in the estimates for 1934-35 was Rs.10.69 lakhs and in those for 1935-36, 11.68 lakhs. The increased provision is accounted for by the need to provide an additional 1.19 lakhs for commercial operations mainly for the Emporium in connexion with its textile section and half a lakh for the industrial exhibition which is projected to be held in the next cold weather. There are corresponding additions on the receipts side. A provision of Rs.9,000 has been made for the temporary post of a Deputy Director.

Throughout the year, Sir, there were signs, weak but definite, of the revival of trade. The rise in the prices of agricultural commodities was maintained and the general sentiment appears to be optimistic on the whole. The sugar industry is now finding its natural level and I hope it is settling down to its normal state. The current season has been fairly good. Sugar prices rose to some extent just before the commencement of the season, due mainly to the war in Abyssinia, but have since dropped to their normal level. The minimum price of cane which was Re.0-5-6 in November and December fell to Re.0-5-0 thereafter.

Cane prices have however been lower than last year owing to the satisfactory condition of the sugarcane crop. Schemes for the development and marketing of cane, especially in connexion with sugar factories, were inaugurated, the money being provided by the Central Government out of the sugar excise fund. The schemes have been put on a contributory basis, and over a score of factories have joined them already. These schemes have furnished a unique opportunity for doing a substantial work of development for the benefit of both cane growers and factories. I must also refer to the two Sugarcane Rules Conferences held in May 1935 at Naini Tal and in December at Lucknow and express the Government's sense of obligation to those who attended these conferences in response to the Government's invitation. The proceedings were marked by a will to understand, appreciate and try to meet in a reasonable spirit the points of view of the various interests involved.

The cotton textile industry is showing some improvement. Cotton prices were fairly stable except for a small rise towards the close of 1935 which has however not been maintained. The production of both cotton yarn and cotton piecegoods in the province shows a definite improvement. Appreciable relief was afforded by the Trade Convention with Japan which limits the imports of cotton piecegoods from Japan into India to a maximum of 400 million yards against an obligation on Japan to buy at least one and half million bales of raw cotton. The Central Government's grant which is expected to continue for another three years has enabled the department to inaugurate various schemes for the benefit of our most important cottage industry, viz., the handloom industry. A special branch of the Emporium to deal with the products of handlooms was opened in November last and its services are being appreciated by the weavers of Benares, Mau, Azamgarh, Gorakhpur, Tanda, Khairabad, Bilari, Sambhal, Amroha, Sikandrabad and various other centres. The Government of India have now decided to render assistance on similar lines though on a smaller scale to the woollen handloom industry. It must be a matter of pride to us that at the All-India Handloom Exhibition held at Patna in February last, United Provinces exhibits secured several prizes and the wooden jacquard devised by the Central Weaving Institute, Benares, won the Government of India's first prize of Rs.500 for the best handloom appliance. This jacquard has simplified the weaving of brocades and similar fabrics for which Benares has been noted throughout the ages. The double and multiple box sley and warping machine designed or improved by that institution also won prizes. If the experiments that are in progress for the hand mercerisation of cotton yarn and raising of blankets by hand processes prove successful, the provincial handloom industry will receive an appreciable fillip. The Technological Institute maintains its usual record of useful activity. Besides giving technical and commercial help, the sugar section initiated or continued experimental work on the manufacture of cattle food from molasses and bagasse and a suitable mode or modes of disposal of sugar factory effluents. The molasses problem is receiving attention. There are prospects of a molasses corporation purchasing some of our surplus molasses. The research work on the utilization of molasses for various purposes continues.

[The Hon'ble the Minister for Education]

The Oil section has to its credit a notable achievement, the production of bleached castor oil which has so far not been done in India. It also helped in the establishment of a factory for refined and hydrogenated oil, and in analysing linseed for trade standardisation, on behalf of the bureau of industrial research and intelligence. The General Chemistry section also assisted in the production of a chemical product for cleaning printing types. Thanks to its help Cawnpore is now one of the very few centres in India where Hydrogen peroxide is being made on a commercial scale. The system of foreign technical scholarships was revised and lately approved. These scholarships have been increased. Our goods were exhibited at the British Industries Fair in the autumn of 1935. In the autumn of 1935 we participated with the help of Mrs. Mulvany, whom I take this opportunity of thanking, in the Canadian National Exhibition at Toronto. The purpose of participation in these exhibitions is not so much immediate cash return as the establishment of trade connexion and dissemination of knowledge about the articles produced in this province. The stores purchase section continued to work well. The stores purchase rules were finally approved and promulgated in 1935 and contain provisions for giving preferential treatment to Indian articles. This provision was, for the first time, introduced in 1935. Two small loans of Rs.5,000 each were given for industrial purposes. Marketing is now recognized as the most promising field for State aid to industry, especially of the smaller type. Even though it has not been possible to inaugurate the main scheme outlined by the Reorganization Committee, some marketing schemes have been taken up especially in connexion with cotton textiles and the rural development grant from the Central Government. This pioneer work will furnish valuable guidance for more ambitious work later on. Arrangements have been made or are in progress for the establishment of subsidized shops for the sale of products of village industries. An encouraging illustration of the possibility of helping village industries through a subsidized organization is the Bee Hive in Naini Tal. I am sure several honourable members have visited this shop which is doing very useful work in the summer capital of the Province. For the purpose of co-ordinating the activities of the subsidized shops and to furnish them with the requisite intelligence and guidance, a village industries section has been attached to the Emporium. The marketing of ghee on co-operative basis is only an extension of a tested scheme which has been working for some time. Co-operative stores are being organized at five centres for the benefit of selected industries. These are Oel for brass utensils, Lucknow for baskets, toys etc., Banda for leather goods of the rural type, Benares for various toys and metal utensils, and Meerut for blankets.

Sir, I hope this brief review will help to show what the Department with its slender resources is doing for industries in the Province. An examination of its working by various committees has shown that in certain directions, principally marketing, industrial finance and the system of technical and industrial education, the Department needs considerable overhauling and even re-orientation. It is a source of satisfaction to see that the broad outlines of such reorganizations as were chalked out in the report of the Reorganization Committee were in substantial measure endorsed by the

committees, over one of which Sir Sorabji Pochkhanawala and over the other of which the Right Hon'ble Sir Tej Bahadur Sapru presided. Now that a part of the funds required for further development is likely to be made available, I hope to give effect during the next financial year to some of the more important recommendations of these committees. I must take this opportunity of publicly acknowledging the United Provinces Government's sense of gratitude to these two distinguished countrymen of ours and to their colleagues for the devoted services rendered by them to the province and to India as a whole. There is one more important matter which I must bring to the notice of this House. The Technological Institute at Cawnpore has a Sugar section which has for some time been functioning in effect as an All-India institute for research, training and intelligence. A proposal was received from the Imperial Council of Agricultural Research that the existing buildings, plant, machinery, fixtures and furniture might be handed over to them to be utilized for the purpose of an All-India Central Sugar Research Institute. Negotiations are nearing completion and it is hoped that the transaction will be of advantage both to this province and to the whole of India. A grant of Rs.30,000 continued to be received from the Imperial Council of Agricultural Research towards the Oil section which too is naturally functioning in certain respects as an All-India institution. Our share in the Central Government's grant for the benefit of the cotton textile industry is likely to be enlarged and the province may also get a share of the funds set apart by them for assistance to the woollen handloom industry. From our share of the Central Government's grant for rural development Rs.70,000 was allotted last year for the benefit of village industries. It appears likely that during the next financial year we shall receive our share from an even larger amount proposed to be set apart for rural development from the surplus of 1935-36. We ourselves have planned a provincial exhibition to be held at Lucknow during the next cold weather.

Mr. Brijnandan Lal : Provincial or All-India?

The Hon'ble the Minister for Industries : Provincial. We call it provincial but naturally the whole of India will participate in it though it is the U. P. Government Exhibition. This exhibition will enable us to take stock of the industrial development of the province since 1911 when the last big exhibition was held at Allahabad. Government trust that the province will fully utilize the numerous opportunities which the Exhibition will provide for technical improvements and expansion of markets.

Sir, I have finished. In conclusion I would like to thank the Board of Industries which has continued to render valuable help to Government. I would also like to thank the officers of the department from the Director of Industries downwards who have put in a useful year's work and in particular to acknowledge the services rendered to the oil industry of the province by Mr. Duke who has now retired.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under sub-head B—Industrial Education—(b) Technical and Industrial Institu-

[Khan Bahadur Saiyid Jafer Hosain]

tions—6, Lump sum at the disposal of the Board of Industries, a reduction of Re. 1 be made.

The cut which I have just moved is one with which honourable members of this House are familiar. A similar cut was moved by me last year and the year before. Last year when I moved it I had requested the Hon'ble the Minister for Industries to allot a larger sum of money to the Board of Industries in order that it may increase its activity of helping the indigenous industries and the pioneer works of people who come forward in increasing numbers with new designs and patents and want the help of the Board to put them in a position so that they might work on their respective designs and patents. In reply to my motion last year, the Hon'ble the Minister said that if I withdrew my motion, he would try to place a larger sum at the disposal of the Board of Industries. On that assurance, therefore, Sir, I withdrew my motion. But unfortunately no money other than the one which was originally provided in the budget was given to the Board. It is a fact that we had to turn down literally hundreds of deserving applicants who had applied during the year for monetary help for starting and for the development of various industries, new as well as old. It was felt by the Board that the money placed at their disposal was totally inadequate to the needs of our province and that if any good was expected to come and if the Government really wanted the industrial development of the province, it should place a larger sum of money at the disposal of the Board and thus enable deserving applicants to get on with their designs and patents and the languishing industries be put on a sound footing. I would like, Sir, to give a concrete example of the manner in which this kind of State aid would develop the industries of these provinces. At the last meeting of the Board of Industries a glass bangle manufacturer of Firozabad applied for a substantial amount of money to be given as a grant in order that he may manufacture a certain kind of bangle which at present comes from Japan. We were further told by him that the annual value of such imported glass bangles was something like Rs.40 lakhs. We found, on an examination of the bangles which he had manufactured at his workshop in Firozabad, that they were equal, if not superior, to the imported ones. The Board had therefore no hesitation in giving him a part of the grant-in-aid for which he had applied. He wanted that particular amount to meet the expenses which he would incur in purchasing machinery for the manufacture of that particular type of bangle. It is in this way that we can help the indigenous industries of this province. I assure the Hon'ble the Minister that, if he is prepared, or if he agrees, to put a larger sum at the disposal of the Board of Industries, he will find that that is one of the best investments for the industrial development of this province.

I do hope that the Hon'ble Minister when he rises to reply to this cut motion will not plead the eternal excuse of lack of funds. I know that it is a thing which is all-pervading at the present moment; but if the Hon'ble Minister can find money for holding an exhibition he can just as well place a larger amount at the disposal of the Board of Industries and thus solidly help the industrial development of this

province. In the debate which took place last year we had requested the Hon'ble Minister to allot a sum of Rs.50,000 for this purpose and we still stick to that sum. I hope my honourable friend, Khan Bahadur Maulvi Fasih-ud-din, will bear me out in the statement which I have just made that if the Hon'ble Minister would like to place this amount at the disposal of the Board of Industries, it is absolutely certain that every pice of that money will be spent upon the regeneration and the development of the industries of this province. This is a matter which is serious enough to enlist the sympathy of the Hon'ble Minister. In view of the fact that last year the Hon'ble Minister gave me a definite assurance that if I withdrew my cut motion he would endeavour to provide more funds to the Board, I hope he will be in a position to say today, in spite of the same amount having been repeated in the budget, that he will increase the amount for that specific purpose.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I give my whole-hearted support to this motion of cut tabled by my friend, Khan Bahadur Saiyid Jafer Hosain. I have discussed this matter so often on the floor of this Council that I do not think that any lengthy speech is needed from me. It is a pity—in fact I should say that it is an irony of fate—that the Hon'ble Minister was not in a position to carry out his promise of last year, viz. the promise for increasing the amount of the industrial grant.

There are only two ways of improving and encouraging the indigenous industries of these provinces. The first is by giving loans and the second is by giving grants. As to the loans, I am sorry to say that the Board of Loan Commissioners is already defunct.

The Hon'ble the President: That is another point.

Khan Bahadur Maulvi Fasih-ud-din: Very well, Sir. As to the grants, we find that the amount used to be Rs.30,000 for many years; but for some years it has been cut down to Rs.15,000. This is a very insignificant amount, as has been pointed out by my friend, the mover of the cut; and I think that it is up to the Minister to raise it now to Rs.50,000 from Rs.15,000 for this useful and most necessary part of the work of the Industries Department.

Mr. C. Y. Chintamani: Sir, I should like to invite the attention of the Hon'ble the Minister to one or two points under this head of "General Direction."

The Hon'ble the President: We are not dealing with "General Direction."

Mr. C. Y. Chintamani: I am sorry, Sir.

The Hon'ble the Minister for Education: Sir, there is no difference between me and the honourable mover of the cut and his worthy supporter. I myself have been of the opinion that the amount of Rs.15,000 placed at the disposal of the Board of Industries is totally inadequate for the needs of the subject. It is true the matter was raised last year in this House; and I gave the undertaking, which I have completely fulfilled, that I would endeavour to secure more money

[The Hon'ble the Minister for Education]
from the Finance Department. I repeat again that I have done my best and failed. I do not know what my friend the mover of the cut wants me to do more. I wish there were more money, and nothing would please me more than to see the various needs of the Department of Industries, in common with the needs of all other departments under my charge, to be met in full. But the Hon'ble the Finance Member, who, I am sorry, is not here, although I see the Finance Secretary who is carefully listening, has shown me an empty purse.

Khan Bahadur Saiyid Jafer Hosain: Why not divert some money from the Exhibition fund?

The Hon'ble the Minister for Education: My friend has not perhaps read the budget. There is no new money for the exhibition. I could not divert anything from that. The exhibition promises to be self-supporting. We have provided Rs.50,000 and we have taken credit for Rs.50,000 on the receipt side. That money cannot be transferred. I hope my friend will agree there. I have nothing more to say, excepting that I hope that it would be possible for me to carry out the wishes of the honourable mover of this cut which coincide with my own wishes. I myself recommended in the Industries Reorganization Committee Report that the amount at the disposal of the Board of Industries should be raised to Rs.50,000.

Shaikh Muhammad Habib-ullah: Sir, I just wanted to say a few words about the exhibition that Government is proposing to hold . . .

Khan Bahadur Maulvi Fasih-ud-din: It is not the issue.

Shaikh Muhammad Habib-ullah: It is under this head, I am afraid.

The Hon'ble the Minister for Education: Are we not discussing technical and industrial institutions?

The Hon'ble the President: I do not know what the honourable member wants to say. He has hardly begun. Will the honourable member develop his point?

Shaikh Muhammad Habib-ullah: I wanted to say something about the constitution of the committee of the exhibition.

The Hon'ble the President: We are discussing the lump sum at the disposal of the Board of Industries. Will the honourable member see motion no. 5 on the agenda?

Thakur Balwant Singh Gahlot: Sir, the Hon'ble Minister deserves our best congratulations for all that he has been doing for the industrial development of these provinces, but at the same time his reply that he pressed the Finance Department to put greater amount of money at the disposal of the Board of Industries but failed to get it is not a satisfactory reply. The Board of Industries can be expected really to do some good work if there are funds at its disposal which could be given for the benefit of those indigenous industries which exist in these provinces. It is well known that the persons who want to improve these industries know that if they can get any financial help from the Government it is through the Board of Industries and that there is no other way open to them to approach Government direct. We cannot expect any satisfactory results

with this paltry sum of Rs.15,000 at the disposal of the Board of Industries. When we can borrow money for making up deficits and doing so many other things, I think it was but reasonable that after the assurance given by the Hon'ble Minister this amount should have been increased. What we find is that it has not been increased at all. I would suggest that if the Hon'ble Minister is not in a position to get more money from the Finance Department, he should effect economies somewhere else. The Hon'ble Minister has been responsible for adding to the provincial resources a good deal by adopting different methods for the sale of drugs this year. It was, I think, but natural that if the Hon'ble Minister had been persistent, as he says, he should have got at least something for the Board as well out of the proceeds which he added at such a critical moment to the provincial exchequer. So, Sir, I hope that this will be the last time when he comes forward with such a plea in such matters and for such a cause which is so dear to himself as well. With these few words, I wholeheartedly give my support to the motion before the House.

Khan Bahadur Saiyid Jafer Hosain: I wholeheartedly thank the members who have supported this cut motion of mine. We have heard the reply of the Hon'ble Minister, and I must confess that I was rather surprised at the similarity of the answer which he has given now to that which he gave last year.

The Hon'ble the Minister for Education: It is consistent.

Khan Bahadur Saiyid Jafer Hosain: As I said before, Sir, if the Hon'ble Minister had really wanted to help the Board of Industries with a further sum of money, then he could certainly have found some money from the Department of Industries by effecting economies here and there, because, after all, I consider that this is a matter of paramount importance to the entire province, and is, and will be, the means of relieving unemployment among the educated classes.

The Hon'ble the Minister for Education: Would the honourable member like me to effect economies elsewhere by closing down some institutions and finding money for this?

Khan Bahadur Saiyid Jafer Hosain: Certainly not: I am not for closing down any institution. But, as the Hon'ble the Minister has already said that in the present year which is about to close the Government effected a saving of something like 15 or 16 lakhs in the budget as it was presented and passed by the Council last year, there will be no difficulty in effecting economies elsewhere and fixing a larger grant for the Board. Where there is a will there is a way. I hope that the Hon'ble the Minister, considering that the subject is of such great importance, will at least find money from the allotment of Rs.4 lakhs which the Hon'ble the Finance Member has promised to give for the relief of unemployment of the educated classes, and from that sum of money the Minister could ask the Finance Department to give a sum of Rs.30,000 or Rs.40,000 to the Board of Industries. I am sure that this is an investment which, in the long run, will be the chief factor for relieving unemployment among the educated classes to some extent.

[Khar. Bahadur Saiyid Jafer Hosain]

If you revive industries in this province it will give impetus to industrial development, and will thereby absorb a good number of the educated young men of our province. For this reason, I hope the Hon'ble the Minister will give a reply which will be hailed by us as a just and reasonable one.

The Hon'ble the Minister for Education : I have already stated what my position is, and in case there is a misapprehension in the mind of the honourable member I will repeat my point once again. I entirely agree with him as to the necessity of increasing this allotment, but it is not in my hands to find the money by which the increase can be made. My friend Mr. Jafer Hosain said that if I wanted to I could economize elsewhere. When I asked him whether he would like me to abolish some institutions he said "no". I can assure him that the budget of the Industries Department is cut to the bone: there are no muscles or flesh left on it: and it was on that account that during the last year when almost every department was subjected to economy we refused to give anything. We had no money to give from the Department of Industries. We are finding it very difficult indeed to maintain the framework of the department with the allotment which we have. I know that the development of industries can help to relieve unemployment. I am very glad to hear from my friend the mover that he agrees with this view. I have great respect for his views, particularly on matters commercial and industrial. I do not know what further assurance I can give. I undertake to make the strongest possible representation to the Finance Department to increase this allotment. My friend the Finance Secretary has been listening to me and I would ask him to take a careful note of my undertaking here. So in effect there is no difference between me and the honourable mover of the cut.

Pandit Joti Prasad Upadhyaya : Except that he is not a Minister.

The Hon'ble the Minister for Education : The most I can do is to ask him to come along with me to the room of the Finance Member or the Finance Secretary and perhaps by the help of his powerful advocacy I might succeed. I will warn the honourable mover of the result which would ensue if he presses his cut. I explained that last year, and I repeat it again, that if he presses this cut and the cut is carried then for one whole year under no circumstances can we increase the allotment by even a rupee. I leave it to him. In effect I am accepting his cut, but I do not want it to be formally carried by the House, as that will place us in difficulty.

Khan Bahadur Saiyid Jafer Hosain : In view of the fact that the main object of the motion which I had in view has been formally admitted, Sir, I beg leave of the House to withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under sub-head C—Industrial Development, a reduction of Re.1 be made.

In this connection I have to draw the attention of this honourable House to the report of the Reorganization Committee, which was published a long time ago and in which certain recommendations were

made for putting the industries of these provinces on a firm footing and for effecting certain changes in the methods of giving grants and the method of instructions in industrial institutions and other kindred matters. So far the Hon'ble Minister has not formulated the view of the Government on that report and the recommendations contained therein are still

The Hon'ble the President: I think if that is the object of the honourable mover, it had better be moved under the entire head because under this item of Industrial Development there is development of handloom industry. If he wants action to be taken on the Industrial Reorganization Committee's Report it would be better if he moved it under the entire head.

Khan Bahadur Saiyid Jafer Hosain: Sir, I have to speak on some kindred matters also.

The Hon'ble the President: So he had better leave this point. We are concerned with industrial development just now.

Khan Bahadur Saiyid Jafer Hosain: Very well, Sir, I now come to the brassware industry of Moradabad. It is an industry which gives employment to at least 50,000 to 60,000 people in that city. It is an industry which is a very old industry of that city and is an industry which is capable of considerable extension if the Government takes an active interest in the development of that particular industry. I pointed out last year also that the workers who are engaged in that particular trade hold on to old ideas as regards designs and consequently the products do not find an outlet outside this country. I make bold to say that if the Government sends out an expert to Moradabad, an expert who can suggest new designs, designs which are capable of being accepted in foreign countries, then I am sure that this industry will go up by leaps and bounds. At present the turnover of this industry is between 50 and 60 lakhs, but all of it is internal. There is no external trade at present hardly worth mentioning. And unless and until the Government comes forward with special instructors and sends them to that place, it is impossible to expect an improvement in that respect so far as the brassware industry is concerned. I touched upon this point last year also, but I am sorry to say that no steps have so far been taken to carry this important subject to fruition. To my mind, it is no use, Sir, having an Arts and Crafts Emporium located in Lucknow when you cannot have goods of that particular quality and design made at its direction and suggestion which would command a market outside this country. Unless you go to the place of manufacture, the place where the things are manufactured, you cannot expect to get those articles which can find an outlet in other countries. Therefore I consider it of paramount importance that Government should send one or two experts, who know something of this trade, to that place, or in the alternative to get some of the labourers there to come over to Lucknow where the experts in the Arts and Crafts Emporium should instruct them to make new designs and should give them new designs to make so that they may be in a position to expand the industry. That is so far as the brassware industry is concerned.

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Similarly, Sir, in the case of the comb industry of Sambhal is one which my friend the Director of Industries should pay particular attention to. The industry is in a languishing condition. The reason is not far to seek. As far as designs are concerned, old ideas are prevalent there. The workers there are capable of manufacturing the best combs worth even Rs.15 each, but they are not experienced enough to put them into shapes and designs which would be acceptable in the general market. The second defect is that they all work individually on their own account, with the result that they cannot successfully compete in the open market with the rubber combs manufactured outside this country, but this is an industry which again gives bread and subsistence to more than 10,000 people and, I think, it is time that the Department of Industries took an active interest in these two industries which I have mentioned. Not only these two, but there are dozens of others all over the province. I am glad the Director of Industries and the Department of Industries have already taken interest in reviving some of the old industries of these provinces and in putting them on a sound and successful basis, but as regards these two particular industries, I am sorry to say that no steps have so far been taken, as regards the brassware industry, to send experts either to that place or to bring some of the expert labourers and craftsmen here and to give them correct and new designs to manufacture and to produce articles similar to those manufactured in foreign countries. I hope the Government will deal with this matter in a sympathetic spirit and will do the needful in order to revive and to expand these two industries.

Mr. R. T. Shivdasani: The Department has been fully alive to the needs of the industries mentioned by the honourable member. As for the brassware industry the Emporium held an exhibition last cold weather of new designs in order to see which of them could be easily marketed and orders for designs which were found popular with customers have already been placed with some of the merchants at Moradabad. The Arts School at Lucknow has also prepared special designs at the request of the Emporium and markets for these will be tried and those that are found popular will be introduced among the manufacturers at Moradabad. We have also tried to ascertain the possibilities of marketing brassware goods in foreign countries. A large stock was sent to Canada. There were some sales, and we are corresponding with the firms in Canada to push on further sales.

Khan Bahadur Saiyid Jafer Hosain: What about new designs and experts?

Mr. R. T. Shivdasani: As I have said new designs are being prepared at the Arts School, and they will first be tried in the market and those that will be found popular among purchasers will be introduced among the manufacturers at Moradabad. We are trying to find foreign markets for them. We have recently sent some stock to Africa; and we have also started an agency in London, and efforts will be made through it to push on trade throughout England. We propose sending out samples worth £1,000. This will cover not only brass but the products of other small industries as well.

As for the comb industry we are trying to prevent the warping of combs which is their main defect. Our experiments, I am sorry to say, have not been successful. Another difficulty about this industry is that horn combs are out of fashion on account of competition with cheap celluloid combs. We have however taken up sales of these combs through our rural development agencies.

Khan Bahadur Saiyid Jafer Hosain: What about co-operative activity?

Mr. R. T. Shivdasani: The possibility of developing industries on a co-operative basis will be tried according to the suggestion of the honourable member.

Khan Bahadur Saiyid Jafer Hosain: I am glad that the Director of Industries has given a satisfactory reply, and I hope he will take further interest in the direction of helping the comb workers of Sambhal to work on co-operative lines so that they may be in a position to sell their goods at competitive prices.

As regards the brassware industry, the reply, so far as it goes, is satisfactory, but the fact remains that unless you instruct the workers and artisans in that industry on the spot it will be impossible for them, at least the bulk of them, to move in the right direction and to manufacture articles of a design which would be acceptable to the foreign market. Therefore, it is no use your opening agencies in foreign countries unless you are sure that you would be supplied with goods which would find a ready market in those countries. Anyhow, starting agencies is in itself a good start; by that means they will be in a position to know what kind of articles the public in those countries really want and which articles will fetch good prices there; but subsequent developments must be on the lines which I have indicated, and since the reply has been given that the department will look further into the question I beg leave of the House to withdraw the motion.

The motion was, by leave, withdrawn.

***Rai Bahadur Sahu Jwala Saran Kothiwala:** I beg to move that under the entire head a reduction of Re.1. be made.

My object in moving this cut is to bring to the notice of the Government some facts about the brass industry at Moradabad. There are so many things which are not made at present in Moradabad, but if proper care is given they can be easily done; e.g. electric fittings and brass things which are imported to India from England and America. If the Government takes some interest and sends some persons who know the art, these electric fittings and building fittings can be manufactured very cheaply, and we can compete with the things which are imported to India from abroad.

I hope the Government will set apart some money for this purpose and make arrangement to do this.

With these few words I commend the motion to the acceptance of the House.

***Mr. C. Y. Chintamani:** I should like to take advantage of this motion before the House, which is by way of a cut for the entire head, to

**Speech not revised by the honourable member.*

[Mr. C. Y. Chintamani]

make some observations and some inquiries on a number of points connected with the administration of Industries Department during the year.

In the first place it is my duty to utter a complaint that the last annual report of the Director of Industries has not been made available to us. Such complaints have had to be made from time to time, but in respect of only some departments. This is not the first time that it had to be made in respect of the report of the Industries Department. There used to be a separate report on the working of the Stores Purchase Branch of this department. Whether it is being continued or it has been merged in the general report of the department I am not quite clear. In case it is being separately issued, as at one time the Government promised to do and as for several years the Government did do, I must complain that that too has not been supplied to members. Thirdly, the Hon'ble the Minister has just spoken in the speech in which he introduced this demand, that revised rules regarding stores purchases were made and promulgated last year. I am not aware whether they have been published. If they have been published, they ought to be made public and copies should be made available to members, and I trust that copies will be supplied to us in compliance with the suggestion now made. The fourth point I wish to refer to is the Sugarcane Rules. I have had occasion on a recent date to look into these rules on a reference by a person who was affected by them. He found a great difficulty in interpreting some of the rules. On reading them and re-reading them I found myself in no better position. At several places the rules are in ambiguous language susceptible of more interpretations than one. On behalf of the person affected I approached a high officer of Government—a member of the Board of Revenue—for the correct and accepted interpretation. I was told in reply that he was experiencing the same difficulty and a reference had been made to Government to revise the language of some of the rules so as to place their meaning beyond doubt. I trust the Hon'ble Minister will examine not merely the substance but the language of every one of these rules so as to express the intentions of the authors of these rules in unambiguous language which would not baffle any one who would try to interpret them and to act in accordance with them. Speaking of the sugar industry I should like to ask the Hon'ble Minister whether any effort has been made to investigate the possible uses of molasses. I know that other Governments are at work in that connexion, although so far with no tangible result. Here the Department of Industries has the advantage of having at its head an industrialist who is also a chemist. Therefore this subject ought to be of particular intellectual fascination to him, and when to it is added the practical advantage of the discovery of some remunerative uses to which that product which now goes to waste may be put, I trust that he will consider the desirability of investigating the matter if necessary through some competent chemist placed on special duty. The expenditure that may be involved on such experiment will be as nothing by the side of the advantage the province will reap if the experiment should result in some practical discovery.

I have heard with very agreeable surprise and in a spirit of thankfulness the terms in which the Hon'ble Minister has this year referred to the Technological Institute at Cawnpore.

It is notorious, and his own past speeches in Council furnish evidence of that, that his attitude towards such institutes was not exactly one of boundless admiration, and it would not be wrong to say it was less appreciative than critical. In view of this I was rejoiced to read the findings of the Committee on Unemployment on the success of the products of that institution being placed profitably as compared with the comparative unsuccess of several other institutions in the Province. Unfortunately the Technological Institute has been the unhappy subject of repeated and unfriendly experiments. It has not been allowed to continue in its smooth progress until at last it seems to have found *Nirvana* under the auspices of the Imperial Council of Agricultural Research, but in view of the welcome change in the attitude of the Minister indicated by the terms of his reference to that institution in his speech this morning I venture to express the hope that he will make an active effort to do something tangible with a view to increase the utility of that institution still more so that it may justify the high expectations formed of it.

I next come to industrial schools. Honourable members would not have forgotten the more or less acrimonious discussion on the report of the Industries Reorganization Committee which took place in this House in April, 1934. I am glad that despite the unpleasantness of that discussion it has yielded a good result in the form of the subsequent industrial schools committee presided over by our friend the Industries Secretary. The committee included members of this House representative of different groups and the criticisms of the report of the Industries Reorganization Committee in so far as it touched industrial schools were abundantly vindicated by the modification of those recommendations which were embodied in the report of the supplementary committee presided over by Mr. Kharegat. I should like to have information from the Hon'ble Minister as to the action that has since been taken on either of those reports. It will be recalled that last year I urged the Hon'ble Minister to postpone action on the reports of these committees until he received the report of the Unemployment Committee. He obstinately refused to wait for that report. Repeated appeals to him to consider the utility of not taking piecemeal action which might subsequently have to be modified on account of the recommendations of the Unemployment Committee failed to make an impression on his mind, but I believe that he has actually been better than his word and that actually he has not taken any action worthy of mention upon the recommendations of his own or of the Kharegat Committee until he had before him the report of the Unemployment Committee. Now he has before him this last report also. I should like to have from him an account of his intentions with regard to the reports of the two earlier committees in the light of the subsequent report of the Unemployment Committee. I am very glad that not only the Kharegat Committee but the larger Unemployment Committee vindicated the view, the position taken by a number of non-official members here in April, 1934, and that they set their face strongly against the abolition of any schools while rightly and naturally they advised a reorganization of every one of the schools such as experience may have suggested to be desirable or necessary. I entirely agree with that view. We must go on revising our ideas in the light of experience and whatever lines of reorganization of all the

[Mr. C. Y. Chinamani]

schools or of some of the schools might have been indicated by experience to be desirable should certainly be proceeded with. I should like to have a statement from the Hon'ble Minister with regard to his intentions on this point, but reorganization should not take the form of reduction merely from the point of view of the saving of money to Government. The reorganization should be motivated by the desire and purpose of making the reorganized institution more useful to the community than the same institution in its present condition. The motive ought not to be to effect some inconsiderable saving on the institution for utilization in some other manner.

This brings me to the condition of the Carpentry School at Allahabad. The Hon'ble Minister was very wrathful that I should have made so much of this institution in my speech in April, 1934. He said later in a speech delivered at Cawnpore to a friendly and admiring gathering that if only the Carpentry School had been located at Cawnpore and not at Allahabad, he would not have witnessed some of the fireworks which were let off in Council in the previous April. But in the same speech the Hon'ble Minister was candid enough to confess his great partiality for his own town of Cawnpore. What is a mere choleric word in a captain is so rank blasphemy in a private. A Minister's partiality for his native town must be glorified by the name of patriotism. A very small private member's interest in his own town must be ridiculed as merely the letting off of fireworks. All this is so natural for men placed in power. But seriously I should like to mention to the Hon'ble Minister that the Carpentry School at Allahabad is the result of years of strenuous and devoted effort. It was not brought into being at all until after at least five years of continuous effort to induce the Government to establish that institution. Between the date of its establishment and today it has more than amply justified itself. Furniture is in demand all over the province. To this moment from many places orders are placed at Bareilly or in Calcutta with Lazarus & Co., for furniture required by high placed persons or by public institutions in the United Provinces. It is desirable that these Carpentry Schools should be multiplied and established at several centres in the province so that all orders might be capable of execution within the limits of these provinces instead of people having to run elsewhere in order to get high class furniture. I would appeal to the Hon'ble member to remove from his mind any prejudice that might be lurking there against the poor and deserted city of Allahabad—deserted by officials, not by us—and not a dead city, as Raja Jagannath Bakhsh Singh once described it, but a city alive and kicking, not be swayed by prejudice due to the source from which this recommendation proceeds, but to consider the case with strict impartiality on the merits and to avoid reducing the utility of that institution, and I would further appeal to him to consider seriously the advantage to the whole province of the establishment of similar institutions at several other centres in the provinces. While speaking of Industrial Schools I should like to ask the Minister definitely to place before himself the ideal of Dayal Bagh as an ideal that the Government should attempt to realize at several other places. In praising Dayal Bagh I am not making a difficult attempt to convince one who would not be convinced. On the other

hand I am addressing a Minister who does not yield to me in his appreciation of the good work done there. In his admiration of the spirit which informs that work, the Unemployment Committee have come to the same conclusion. "If you want really to promote industrial development in the province and to grapple seriously with the problem of unemployment growing more and more acute every day, my formula is, in two words, 'Multiply Dayal Baghs'." In the discussion of the problem of unemployment one question has come very much to the fore. Is it a fact that the products of industrial and agricultural institutions merely compete with the products of general colleges and schools in the market of employment for ordinary clerical jobs? Or do they stick to make use of the specialist knowledge which they acquire in industrial and agricultural schools to make a livelihood out of the practical employment of that knowledge? In the debate on unemployment I happened to say that the problem was only partly for the Government to solve. In a very large part it is true but not in its entirety. I have said not for the first time—I am not tired of repeating that statement any number of times—that you cannot hope to solve the problem of unemployment effectually unless there is a change amounting to nothing less than a revolution in the mentality of students as well as of parents and guardians. They must teach themselves that worldly salvation does not altogether lie in service and learned professions, that manual labour is not dishonourable and does not lower them in the estimation of the public. I further stated, and I repeat, that this change of mentality can only be brought about by a systematic propaganda. But in addition to systematic propaganda I further ventured to say that the Government can render help by taking some practical steps. One of those practical steps, I stated, would be to divert to industrial, technical and agricultural schools and to science, as distinguished from literature, some of the money spent upon scholarships at present, not to reduce the total scholarship fund but merely to redistribute it in the manner suggested by present conditions as distinguished from the conditions in which the present system was introduced. There is a second suggestion which I have to make in this connexion. The students who pass out of technical and industrial schools, even when they may wish to employ their talent in those particular lines, not unoften find themselves without the small working capital necessary for them to start on their own. Some of them may be placed in bigger industrial establishments financed by adequate capital. But there would be others among them who would not be able to do so. To them the Government should make commercial advances repayable in equated annual instalments, but the advances amounting to a sufficient figure which would enable them to start small business establishments of their own and conduct that work which they have learnt. I should like to have from the Hon'ble Minister a statement of the present position in respect of this matter and of his intentions with regard to the near future.

There was a proposal made during the time of my friend, Chaudhri Wajid Husain, as Director of Industries to establish at Allahabad—I apologize to the Hon'ble Minister for having mentioned Allahabad

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again—a school of printing. It was found that large and increasing numbers of men were finding employment in printing presses. A reference to the statements published by Government of the numbers of printing presses in various places in the province and the numbers of publications would show that printing is a growing industry. So far as I know, it has not yet been overtaken by depression. As education and public spirit are more widely diffused, the demand for printed work increases and it is still on the increase. But it is true to say, and I am entitled to say as one who has been closely associated with printing presses in this province for 35 years, that the standard of efficiency of the men we get in the various departments of printing leaves very much to be desired. With a rise in the standard of efficiency will necessarily go a rise in the scale of remuneration. I do not know when and why the Government dropped that proposal of a former Director of Industries; but I would appeal to them to revive that proposal and to take steps to establish a school of printing in these provinces. I am quite sure they can get competent technical advice from the Superintendent of the Government Press at Allahabad—a press which has continued on lines of admirable efficiency, a press a visit to which does not fail to fill with appreciation any one who knows anything of printing business.

I now refer to a few other recommendations of the Unemployment Committee in so far as they have a bearing upon the Industries Department. That committee urged that the Director of Industries should be a businessman. I do not endorse that recommendation. When the post was created in these provinces, it was to a businessman that the Government first turned to appoint him as the Director of Industries; and the first three Directors were businessmen from the time of Sir John Hewett to the earlier part of Sir Harcourt Butler's regime. The experiment was not found to be a complete success; and with regret, but of sheer necessity, Sir Harcourt turned to the services to find a man from. He wanted to get a non-official Indian Director unconnected with business, but taking interest in industries. But he did not succeed in that attempt. Then he made up his mind that at the least the Director should be an Indian and not a non-Indian, hence the appointment of our friend, Mr. V. N. Mehta whom we miss here so much. Since then, except for two brief periods, the office of the Director has been filled by an Indian officer. On the whole, the experiment has been a success. To the extent that it has not been as much of a success as one could wish it to be, it is due to the fact that in the selection of men service consideration more than the personal interest of the officer chosen in industrial development was what mainly prevailed with the Government. A second reason was that no officer had been left in charge as Director of Industries for a sufficiently long time for him to pick up all the threads to interest himself sufficiently, to become sufficiently competent, and to proceed with the execution of his own ideas. Again, service exigencies have prevailed over the interests of the Department of Industries, with the result that frequent changes have been made in the person of the Head of the Department. If a businessman could be got, he would satisfy the requisite conditions. No one

of us would have a word to say against the selection of a businessman in preference to a non-businessman. But let it be understood that a successful businessman earns a lot of money. The Hon'ble the Minister for Industries is a living example of that.

(The Hon'ble the Minister for Education : No.)

I think even now, although he gets Rs.64,000 yearly as Minister, his income from the industrial connexions which are kept up in spite of the Ministership, amounts to a larger figure than Rs.64,000. I do not think any Government can afford to pay to a successful businessman a salary which alone would tempt him to exchange his business for Government service; and the failure of a businessman would be worse than a non-businessman as the Head of the Department of Industries. This is the consideration which has stood in the way of Government in appointing a businessman to that office. I have not the slightest objection to the continuation of the present system of appointing a competent Indian officer as the Head of the Department of Industries, provided that two conditions are satisfied: firstly, the officer so selected takes a personal interest in industrial development, and does not merely regard that office as one of the many stepping stones in his rise from a lower to a higher office, provided he does not regard it as a passenger regards a waiting room at a railway station; and on the second suggestion that when a suitable officer has been so found he will be retained on that post for a sufficiently long time for him to impress his personality on the work of the whole Department.

Another recommendation made by the Unemployment Committee was that an industrial survey should be made. I only accept that recommendation subject to a modification. Ever since I entered public life, nearly 38 years ago, I have come across this suggestion scores of times that an industrial survey is an essential preliminary to industrial development and technical education. Such surveys have been attempted in several provinces more than once, but if we go on to the end of the chapter only pleading for an industrial survey as an essential preliminary to industrial development, the development may never begin and the survey may never be completed. In this province in 1921-22 reports were produced by Divisional Superintendents of Industries, appointed in that behalf, on the state of industries in all the districts of the province. The idea at the time of their appointment was that such industry or industries in different districts as might be found on a study and examination of those reports to offer favourable chances of success should be taken up by those Divisional Superintendents, whose business should be to interest men of capital in the respective districts to put money in those industries with the assistance of Government, so that those selected industries might be developed on a commercial scale. But thanks to financial stringency, which is our inescapable companion in these provinces, first of all the number of Superintendents was reduced by one-half and secondly they were given other duties. What now appears to me to be necessary is not a complete fresh survey but the correction of the information then recorded by reference to

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changes and developments in subsequent years, and the selection from among the numerous industries mentioned there of those which in the eye of the Minister, advised by the Director and the Board of Industries, might appear to offer the best chances of success and to concentrate upon those selected industries in the selected areas. If the five Divisional Superintendents of Industries are placed on duty to do the preliminary work in connexion therewith, and thereafter, action is taken on the lines I have superficially indicated, I have no reason to think that the results will not be at least moderately gratifying.

A third point is that there should be a much closer co-operation between the Department of Industries and the Department of Co-operation than I fear there has so far been. At one time more recently the one and the same officer filled the offices of the Director of Industries and the Registrar of Co-operative Societies, and it was a very peculiar and very illogical arrangement which the Government made in making that temporary combination. Industries is in charge of one Minister. Co-operation is in charge of the other, and the officer selected was paid his full salary as Registrar of Co-operative Societies, but gave his whole time to the work of Director of Industries, for which he was not paid. The headquarters of the Registrar, Co-operative Societies, was at Lucknow, but the Director of Industries—the honorary Director of Industries—only paid flying visits to the office of the paid Registrar of Co-operative Societies and treated it as something less than a railway station waiting room.

I think that one line of development of small industries through co-operative effort has been neglected a little too much by the Government until now, and that attention should be paid to the practical means by which the method of co-operation might be applied to the development of cottage and other small industries.

The Hon'ble the Minister has spoken of the department's slender resources. It is quite right. It is a shame to the Government that the allotment to the Industries Department should be as small as it is, and it is no credit to the Hon'ble the Minister that during his tenure of office the allotment has not only not been increased, but, since 1931, has even gone down. I cited the figures in the debate on retrenchment more than once. It is up to him. It is very well known that he is far more influential in the Government than a mere Minister could be expected to be.

(The Hon'ble the Minister for Education shook his head).

I do not accept your shaking of the head. The Hon'ble the Minister is so useful to the Government for general purposes that his influence is not to be measured by the designation of the office which he holds. It is up to him to press into service, in the interests of the industrial development of the province, his undoubted influence as a member of the Government to obtain larger amounts for development of industries than he has so far succeeded in doing.

I should like to know, more than has already been stated, what the Government's intentions are with regard to the Industrial Finance

Committee's report. Of the various reports of committees appointed by the Hon'ble the Minister there have been two documents of more than passing interest—one the Unemployment Committee's Report, and the second, that which preceded it—the Industrial Finance Committee's Report. It was a happy idea on his part to have secured for the office of Chairman of these two committees, the services of two such men as Sir Tej Bahadur Sapru and Sir Sorabji Pochhkanawala. Sir Sorabji is a name to conjure with in the world of banking, and his recommendations would not be treated lightly by any man with a reputation to maintain or lose. I know the Hon'ble Minister attaches great importance to those recommendations. But what I do not know is, what is the practical action which he proposes to take in order to give effect to his theoretical appreciation of those recommendations.

Another point is that the Department of Industries should get into closer co-operation with Sir William Stampe, and see to what extent—more than before—electric power can be utilized in the development of industries, particularly cottage and other small industries. The subject is bound to be of great interest to the Hon'ble the Minister. That is not in dispute. What I want to know is, what practical action has been, or is intended to be, taken in co-operation between the two, for using electric power for the development of industries. The other day when I brought to the notice of the Hon'ble the Home Member the desirability of greater co-operation between the Inspector-General of Prisons and the Director of Industries on the subject of manufacturing industries in jails, I was told that there was already such co-ordination. I was glad to know that, but I suspect that the amount of co-ordination that there is, could easily be increased to the advantage of both jails and industries, and I would invite the attention of both the Hon'ble the Ministers—I am glad both of them are here—to the desirability of their conferring with each other in order to bring about a far closer and more constant co-ordination between the Prisons and Industries Departments on the subject of manufacturing industries in jails, and I should like the Hon'ble the Finance Member and the Minister of Industries to devise means for closer co-operation between Sir William Stampe and Industries Department. I also desire to ask the two Ministers to co-operate a little more between them than the distance between their two chairs indicates, in order to press co-operation into service for the development of industries.

The Hon'ble the Minister has referred to a number of subsidies received from the Central Government. One is for rural development, one is for handloom industry, and one is from the Sugar Excise duty. I hate these subsidies. They are a revival of the discredited system of doles from the Central Government to the Provincial Governments. The Central Government retains more sources of revenue and more elastic sources of revenue than are required for its own purposes and leaves to Provincial Government fewer and more in elastic sources of revenue than are adequate for their purposes. Then with a great show of generosity it makes different grants to local Governments, imposing the condition that the expenditure of money out of those grants will always be subject to its

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approval. But this is a subject far beyond the scope of the Industries Department. So I hope that the Hon'ble the Finance Member and the Hon'ble Minister will put their heads together and approach the Government of India in the name of the whole of the local Government for a revision of the whole system so that the sources of revenue may be increased here and the doles may be abolished. In connexion with handlooms I would ask the Hon'ble Minister whether there can be no co-operation between the Government and the All-India Spinner's Association and in connexion with the development of village and cotton industries I would ask him to consider whether there can be no co-operation between the Government and the village Industries Aid Association? Let not the word Congress produce the same effect upon the mind of the members of the Government as the proverbial red rag upon the bull. They may completely disapprove of the political activities of the Congress and they may give terribly practical effect to their disapproval by adding to the jail population, that is a different thing altogether; but it does not matter from what source, or from what man a good idea proceeds, it does not matter with whom the co-operation may be, provided the end is desirable and provided there is a chance of promoting the public good. Not even the greatest of Governments should despise co-operation even with the humblest of individuals, and I do not see what there is to prevent consultation between the Government and those who are in charge of the Spinners' Association and the Village Industries Aid Association in order that both may produce more beneficial results, particularly in the rural development. Such co-operation is clearly indicated, and I shall be glad to hear from the Hon'ble Minister that he will approach consideration of this subject without prejudice and that he will see what can be done in the matter. I am encouraged to think that my appeal may not fall altogether upon deaf ears because I know that before he was incarnated as Minister he was not at all above consultation or co-operation with the Congress.

I have to say one last word in connexion with the exhibition that is proposed to be held at Lucknow next cold weather. I am not sure whether the Government were not precipitate in taking the decision to hold that exhibition. I would think a little less of this if the Government could tell me what the financial results of a similar exhibition held at Allahabad in the cold weather of 1910 were. Then, too, we were assured that there would not be any financial loss to the tax-payers. Was that anticipation realized? What was the net financial result of that exhibition? What steps have the Government taken to make sure that their anticipation of the financial results of the coming Lucknow exhibition is not too optimistic? If the exhibition is to result in a deficit which would have to be met by the Government, would it yield an advantage commensurate with the financial loss? I make no pronouncements; I only put this question as an expression of the attitude of doubt in my mind. I am sorry that the Publicity Department of the Government, too busy otherwise, has not been utilized to tell the public as much about this coming exhibition as the public might have expected to be able to know before the irrevocable decision

was taken. The Allahabad Exhibition in 1910, with which I was more or less familiar, yielded perhaps more advantage to Importers than to those in charge of Indian industries. Agents from Lancashire and other places from where goods were imported into India took full advantage of all that was exhibited by way of Indian industries and Indian art, made charts, took models, went back to their country, made those things in England and sent them here at comparatively lower prices than the goods here could be sold at, because conditions there were more favourable; and opinion is at least evenly divided whether that exhibition was not a greater advantage to foreign merchants who did trade with India than to Indian industrialists. I should like to know from the Hon'ble Minister whether he anticipates a different result now and what steps he has taken or he has under contemplation in order to produce the intended effect and not an effect contrary to what was intended.

In conclusion, Mr. President, I hope and trust that during the coming 12 months the province will witness the practical results of the reports of the Pochkhanawala and Sapru Committees and that when next there may be a discussion on the Industries budget in this Council—I mean the next Council, whether it would be next year or year after I do not know—whenever another discussion on industries may take place in this province in the successor of this Council or in this Council, my successor, who will speak from this place, will be able to congratulate the Hon'ble Minister's successor upon solid achievements. I say the Hon'ble Minister's successor in no ominous sense. It is quite well known that many people anticipate the Hon'ble Minister to be translated to a more important position in the Government than that which he now holds. It is in that sense that I have spoken of his successor and not in the sense in which I have spoken of my successor.

Pandit Shri Sadayatan Pande: Sir, the interest which is taken in the industrial activities of the province is amply evidenced by the dull Council today. I had expected to hear speeches on the industrial progress during the course of the debate, but my expectation has been frustrated. Sir, our complaint is about the indifference of the Government in this direction. There are a large number of districts whose cases in the matter of industrialization have been completely overlooked. There is not a single district in the province which has not got one industry or another and it is up to the Government to develop that industry and thus to afford employment to so many unemployed, about which there is so much dissatisfaction prevailing in the province. I will not take much time of the Council by dwelling at length on this subject and shall confine myself to drawing the attention of the Government to the bare needs of the industries so far as my district is concerned. I have spoken every year about the indigenous silk industry at Ahraura, which is a very old industry there. Sir, silk threads are manufactured from cocoons and from these threads various designs of tussar cloth are made. When the then Director of Industries, Mr. S. P. Shah, I.C.S., inspected the handlooms at Ahraura he made it a point to spend a couple of days in studying how the industry could be developed. After that,

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Sir, the Government has been paying some little attention to this industry because there has been so much of talk about it in the Council, but truly speaking, Sir, there has been absolutely no sincere effort to develop it. If the Government were only to start a small factory which would not cost lakhs but a few thousands, I think the products will be able to stand competition with the silks manufactured at other places in and outside the province. Unless and until that is done, Sir, the silk industry there cannot flourish and cannot compete with the industry at other places.

Another point to which I would like to draw the attention of the Hon'ble Minister and the Director of Industries, who is present here, is that the industries of pottery and stone work in Chunar have been very old industries and if some attention is paid to them, there is considerable scope for their development. Traders and manufacturers of foreign countries take advantage of the exhibitions which are held in this country and, as has been pointed out by the previous speaker, have produced better things at cheaper prices, and have beat down the industries of this country. But, Sir, it is unfortunate to note that our own Government which is capable of doing a world of good to the dormant industries of these provinces is not taking as serious and sincere a view of the matter as it ought to take. The Government has made some inquiry about the pottery work in Chunar, but I do not know what has been the result and what they are intending to do now. With the advent of cement and the very large use made of it in the country, the use of stone has been greatly discarded on account of freight and dressing and other charges. But still, Sir, good quality of stone is exported from Chunar to various parts of India, and I am proud to say that no better quality of stone than that of Mirzapur is found anywhere in India. Of course, I am not speaking of marble. If the Government were to help financially some of the old dealers in stone and the concerns engaged in stone work in Chunar and Mirzapur, I think the industry can be highly developed and afford employment to thousands.

Coming to the other important and well-known industry of Mirzapur, I would remind the House of the well-known carpet industry. Carpets in very large numbers are exported to foreign countries from Mirzapur and contiguous villages which are inhabited by a large number of weavers whose chief work is to manufacture carpets of various designs. I said something about aiding private manufacturers of carpets last year and probably the year before last too, but nothing has been done by Government in this direction. I would suggest that Government should start a small factory at Mirzapur and teach the weavers the latest designs which can find a lucrative market outside India. Unless and until Government establish factories or have some experts to instruct the weavers to do this work the manufacturers cannot turn out carpets of the latest designs. We all know, Sir, that this is the age of fashion and design, when every day they change according to the tastes of the people. Therefore, unless we cater to the tastes of the people the products of this particular industry cannot command an effective sale in the markets of the world. I expect an assurance from Government and I

think they will be doing a great service to the educated and uneducated unemployed if they were to act up to my suggestion.

Another industry to which I would like to draw attention of Government is the brass industry of Mirzapur. Brass articles manufactured at Mirzapur were exported to distant parts of the Bombay Presidency, Central Provinces and other places—on bullock carts when railways were not in existence. Now Sir, a net-work of railways is scattered over the country and is responsible for the fall in the export of brass goods of Mirzapur due to carriage of an identical commodity from other parts of the country and this particular industry which has had no support from Government, has gone down to a great extent. In order to revive it, I would suggest that just as at Moradabad and other places where they are paying particular attention to this industry by aiding private manufacturers and establishing their own factories, they should establish a small factory at Mirzapur and thereby give impetus to those concerned and develop this industry.

I would further suggest that the Government should make liberal grants-in-aid and give loans on proper security to sound parties, manufacturers and dealers in the district, which would go a long way towards the improvement of these industries. There are no industrial schools at Mirzapur, but if one is opened combined with other sections of the industry, I think people would become industrially minded and their turned heads towards the so called highly civilized English education would be diverted to a technical education, and the people will utilize their time and energies in improving their own industry. Government have established such schools at various district headquarters but Mirzapur has been the only district in the extreme end of the province where the least attention has been paid. I have to complain most strongly on this indifferent and step-motherly attitude of the Government, who ought to treat every district of the province uniformly.

Another point which I want to refer to is with regard to the high prices charged by Government institutions for the products turned out by them. For example, I may quote the Arts and Crafts School, Lucknow, and Carpentry School, Allahabad. The price fixed by them is so high that it is not within the reach of all to go in for those things. Unless and until the Government change their policy, they can neither profit themselves nor the buyer. Let us hope that the Government will better utilize the useful criticisms offered by the various speakers of this House and thereby benefit the province.

Thakur Giriraj Singh : I wish to make a few observations in connexion with this department. From the speech of the Hon'ble Minister it appears that much improvement has been made in this department. Sir, if we look to the report of the Industries Department for the year 1935, one is driven to the conclusion that there are some departments in which very little improvement was made. On page 8 of the Administration Report we find that under leather industry there has not been any marked improvement. Now if we look to page 9 of the same report, namely, linseed and oil crushing, you will find that oil crushing has improved but linseed has not so much improved. Now as regards

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the match making industry I want to submit that really in any province or in any country unless Government give some protection to a new industry, it will never prosper. The duty imposed upon this match industry, which was recently opened in the province, was a great drawback in its improvement, although Government has done one thing which has counter-balanced this. It is clear from the report of the department (page 11) that the new excise duty has been counter-balanced by an increased import duty. Sir, anyhow it is clear to us that if any industry is started in any country it is given impetus by Government, and so this Government should also do the same. I am not of opinion that in every district or in every tahsil an industry should be established. I am of opinion that at that place or in that district for which that place or district is fitted, that class of industry should be started. With due respect to the member belonging to the Mirzapur District, I do not hold, Sir, that every sort of industry such as pottery, silk, etc. should be started in one district. I know, Sir, that Chunar is a very important place for pottery industry, and that industry can be well encouraged there. In my district also, namely, Azamgarh, there is one place called Nizamabad in which pottery industry can be started; but Chunar is the better place for pottery. Carpentry should be started at that place where timber and wood can be had cheaply and with greater facility. In this connexion it will not be out of place to mention here that in my district of Azamgarh there was a time, a few years back, when there was a carpentry school started by Government and another started by the District Board. I do not understand why when there was a District Board school there, the Government also started another. At that time both the schools were running together. But when the District Board stopped their school, Government also stopped its school. As regards the weaving school at Mau, Natbhaya in the Azamgarh District, I beg to submit one thing. I submit that that place is full of Muhammadan weavers, and so that school may be of great advantage to Muhammadan weavers, but not to those, who do not belong to that class. Generally there is a limited number of boys who are taken in that school. It will be of greater advantage to those who do not belong to that class, if the school is shifted to some other place. I think it will not be injurious if that school is started at a central place, say, at Azamgarh proper. As far as I am aware, scholarships are also awarded to boys of that institution. In this the majority of the boys admitted belong to the weaver's class. It is not the fault of the admitting authority or the head of the institution, because he will naturally admit those who come first. So I am of opinion that this school should be shifted from Mau to Azamgarh or to any other place, though Azamgarh will be the central and best place in that district.

I am glad to hear from the Hon'ble Minister that he will try his best to do something according to the recommendations of Sir Tej Bahadur Sapru's Unemployment Committee Report, because the question of unemployment is a very important one these days. This Council has been pleased to enhance the rates of court fees and stamps and there will be an increase in the income of the next financial year. The one thing that should be borne in mind by the authorities of Industries

Department and by those who are concerned with this department is that those who are qualified or those who take up this profession or join industrial schools should also do that work after passing their examination. It generally happens that they take up a particular subject, pass an examination in that subject and after passing the examination they revert not to that profession or to that subject in which they passed but go back to their own calling. Take the case of the boys of agriculturists. Sometimes they join a carpentry school and after passing their examination they go back to agriculture. In the end I will submit that cottage industry should be encouraged in the province which will be of much use to the people. With these words I resume my seat.

Khan Bahadur Maulvi Fasih-ud-din : Mr. Chintamani has treated us with a long, exhaustive and instructive speech on the subject of the industrial development of these provinces and if I stand here to follow him, I simply do so because I have a mind to make an effort to throw out some suggestions which are not covered by those which he has offered.

We ought to be thankful to the Hon'ble the Minister for Industries for having put his heart into this department of his and every one of us naturally expected this from a businessman of his capacity. There is no doubt that this department has improved a good deal during the past three years at least and if it were not for the fact that this department has got only a pittance of 13 lakhs and odd at its disposal I am sure that this department would have improved still further. My suggestions, briefly speaking, are these :

First, the number of industrial schools in these provinces is not sufficient and they are mostly concentrated in Cawnpore and Lucknow. Our provinces have got a very vast area. They contain 48 districts and I think that it is very necessary to make these schools within the reach of the middle classes and to locate them all over the province as far as possible, specially in view of the fact that the Education Department is now starting vocational training in their schools. There ought to be one or two schools at the headquarters of each Commissioner's division, if not at the headquarters of each district, in order to enable some of those products of the vernacular schools to complete their education at those institutions. Besides, we find that most of these industrial schools are being overcrowded by students who are after service and we see that there are very few sons of capitalists who go to these schools in order to start industrial work by their own capital. That is a matter which ought to be seriously looked into by the Minister for Industries. Either there is something wrong with these schools on account of which they do not attract the sons of the capitalists or that the capitalists have not a tendency to invest their capital in industrial work. That is a problem which ought to be explored and gone into most carefully. The third point that I wish to bring out, and this has been partially touched by my honourable and learned friend, Mr. Chintamani, is this. We find that there is no co-operation between the heads of the various departments and the head of the Industries Department. I have been a

[Khan Bahadur Maulvi Fasih-ud-din]

member of the Board of Industries for the last 12 years, and I see that nearly all the heads of departments are *ex officio* members of that Board, but I do not find any head of the department—either the Director of Public Instruction or the Chief Engineer of Irrigation ever attending a single meeting of the Board. The Registrar of Co-operative Societies has been casually attending the meetings of the Board during the last three years. This shows that all these departments do not care to co-operate with the department of Industries, and it is a matter which deserves to be looked into. There can possibly be no co-operation between the department of Industries and the department of Agriculture or for the matter of that any other department of the Government unless and until the heads of all departments make up their mind that their work lies in the improvement of the industrial condition of this country.

Another point that I want to bring out to the notice of the Honble the Minister for Industries is this. We find that the activities of the cottage industries are very much limited in this province, and the efforts of the Co-operative Department to improve the cottage industries on co-operative lines have miserably failed in these provinces. In a neighbouring province, however, I mean the Punjab, we find that the number of co-operative industrial societies is about four or five times that in our provinces, and the few that happen to be here in these provinces are in a very languishing condition. There ought to be in my opinion more Inspectors for promoting cottage industries on co-operative lines. The cottage industries, I am sure, can never succeed unless they are run on co-operative lines for the simple reason that the capitalists of these provinces will never think of investing their capital in cottage industries. It will be the middlemen, the residents of the rural areas, who do require industries as a sort of safety valve for the pressure of population on land. That point I think has not been very seriously considered yet, and no efforts have been made to think out ways and means for improving and promoting the cottage industries on co-operative lines.

The other point, Sir, that I want to bring out is that experience has shown that the doles that are given in the shape of grants, as has been stated by Mr. Chintamani, are not very effective in promoting the industries. It is the system of loans at cheap rates of interest that ought to be encouraged, and it is a pity that during the last four or five years not a single loan has been given for improving the cottage industries or the pioneer industries. The Board of Loan Commissioners is only mentioned in the Civil List but it never functions. The Government promised several times that they would replace this Board by another sort of functionary committee which might be more effective. Sir, at present the rate of interest is going down lower and lower day by day on account of the slump in prices and the rise in the value of the rupee. For that reason I think this is a very opportune time for the department of Industries to start the system of the grant of loans to industrial co-operative societies and to spread over the whole of the province a

let work of these societies by giving them loans at a very cheap rate of interest, say at the rate which the local Government gives to the Government of India. That is a very great necessity. If the money is not available for that purpose, then some money can be got from the funds at the disposal of the Government in connexion with the solution of the question of unemployment.

The village uplift work which is being done in these provinces in my opinion does not pay sufficient attention to the improvement of cottage industries. I think the Government has not very seriously considered this very plain fact that the condition of the villagers can only be improved by means of cottage industries. The money that has been earmarked for cottage industries is only about 1/18th part of the total amount that has been allotted by the Government of India and by the local Government. I say that nothing has been done in the matter of establishing small schools for teaching cottage industries to the villagers. Of course a very large staff has been employed which goes about telling the people that they should keep their villages clean, that they should set apart some place in each village for storing their manure and so on, but the material progress of the country lies in spreading and improving the cottage industries for which no money is allotted in the budget of the District Officers who are in charge of this scheme of village uplift. I do not mean to say that Mr. Venkatachar is responsible for this. I know him very well and I think he is one of the most suitable officers who could possibly be selected for this kind of work, but then he is the victim of the system under which this scheme of village uplift is being carried out.

Rai Bahadur Babu Jagadeva Roy : Sir, I have to add a very few points in this connexion. The department of Industries is really a very important department, and in view of the present circumstances of the country its importance has been growing more and more. All that I say on the present occasion is to draw the attention of the Hon'ble Minister in charge of the Industries Department to those points which do not require, in the first place, much capital and, in the second place, go a long way to improve the condition of the majority of the population. So, the first point is about the so-called cottage industries. When I say "the so-called cottage industries", I mean to say that we should improve the industrial condition of rural areas. It has become very necessary to see what the practical difficulties are which can be solved by drawing attention to them. A few months back, in connexion with the uplift scheme in the Ghazipur District, I drew the attention of the District Officer of that place to the fact that the people of some three or four villages had in their stock a large quantity of bajra, and that they wanted to dispose of that grain, but they remained unsuccessful because no purchasers were forthcoming. When this fact was brought to the notice of the District Officer, my object was to know how much attention was being paid towards the village uplift. He told me that he had written to two different departments, and added that some sort of facility would be given. If I mistake not, more than two months have now passed;

[Rai Bahadur Babu Jagadeva Roy]

and I find that no steps have been taken so far. So, my point here is—how can any officer of Government or any private person encourage the lot of agriculturists, when even such an ordinary thing cannot be helped by the department? The conclusion is that there seems to be great necessity for improving market facilities; and unless there are market facilities, agriculturists are unable to part with their produce in a smooth way. I say that this question requires very serious consideration of Government.

Another point is as regards other kinds of products, for instance cotton growing. I have not come across any officer of the Government department going to Ghazipur District with a view to ascertain whether agriculturists have realized the benefit of growing cotton; and if not, to see how they are to be encouraged. No attempt has been made in this direction. If an officer goes there, then he does not visit villages. My object is to draw the attention of Government to this state of affairs, and to ask them to see that the officer should make it a point to visit a few villages of every district of the province, and to be in a position to know how the fates of thousands of people on the industrial side of each district can be improved to a large extent; and this can only be done when he is in touch with every district. But I find, Sir, that this is not done. We hear that industrial schools are being opened, such and such activities are going on, but really if we analyse all these activities, as has been pointed out by the previous speaker, Khan Bahadur Maulvi Fasih-ud-din Sahib, we will find that these activities have been confined largely to those areas where in spite of the absence of Government's efforts there would have been development. Where there is need for help, we find that no attention is being paid to those areas. This is a real grievance and from that point of view I submit that efforts should be made by the Government in such a way that every part of the province benefits in some form or other and some sort of industry is developed in each district area.

(The Council at this stage adjourned for lunch at 1.15 p.m.)

(After recess the House reassembled at 2 p.m. with the Deputy President in the Chair)

Rai Bahadur Babu Jagadeva Roy: Sir, I was discussing about cottage industries. Similarly, I would say that the progress which has been made in the development of fruit industry has been very little. Even this industry could be developed and may not cost much, because we find that there is no scarcity in the number of trees or varieties, but the main question is, how to utilize the fruit. For this, facility should be provided, and I think that the Industries Department should put vigour in order to promote this industry.

Then, Sir, about the sugar industry, I need not repeat what has already been said in this connexion, except to say that the suggestion which has been put forward by the honourable Leader of the Opposition, is one which requires immediate attention. It is not possible for me to discuss this broad question on this cut motion. Therefore, I shall try to be very brief, and add one or two things more. The Hon'ble

the Minister for Industries could very well say that if all the suggestions for promoting industries be taken into consideration, how he is going to manage for providing funds, because in a majority of cases, funds will be required, as we all know that the Hon'ble Minister is very capable and he can devise ways and means. But if I may make a suggestion, I would submit that he should go on asking for money from the Finance Department and see how many times the Finance Department is going to refuse such a request. Looking at the budget of the province, we find that the sum allotted under this head is very small. I would submit that this is a department which requires much more money. If it is not possible to get money out of the present revenues of the province. I would ask the Hon'ble Minister to suggest to Government to abolish the pension system and to substitute it by the provident fund system, and the money thus saved could be utilized towards the development of industries because that would be beneficial to the whole province and the same is the case with the system of commutation of pensions. I am not an expert in this respect, but it appears to me that this system of commutation of pensions is not in the interest of the province, although it may be in the interests of those who take the benefit of that. There must be some other ways also which can be safely adopted. The cumulative effect of all this will be that a large amount of money will be saved and then this money could be spent for the improvement of the various kinds of industries which are needed. I believe that the abolition of this system of commutation of pensions and promoting the industrial development on the other hand cannot be compared, because the latter is certainly more beneficial to the province while in the case of pension the benefit goes to individuals. I suggest therefore that in place of pension, provident fund system should be introduced.

All my friends are of opinion that in dealing with the question of industries an attempt should be made to develop a particular kind of industry at a particular place where it will best prosper. I agree with this view, because if many schools were to be opened everywhere it would not be possible in the first place and in the second place it will be a foregone conclusion that all the schools cannot prosper. Similarly, as my friend Rai Bahadur Sahu Jwala Saran has pointed out, the brassware industry in Moradabad is flourishing and the more it is encouraged the better it will be for the province. I say he is quite right and I agree that while making an effort to promote the industries we should take into consideration all these various factors and see that industries are started at the places where they will best prosper.

Pandit Joti Prasad Upadhyaya: I congratulate the honourable Leader of the Opposition for having given us a very thoughtful and very impressive survey of the industrial development in these provinces in his speech this morning. He pointed out very ably how various industries of the province can be developed and I think advantage should be taken of the suggestions made by him. Sir, honourable members have been making suggestions after suggestions for the industrial development of these provinces and asking the Hon'ble Minister to adopt a

[Pandit Joti Prasad Upadhyaya]

uniform line of progress in respect of this development. But the Hon'ble Minister has been pleading all along want of funds and he has done so rightly. He says he has been asking the Finance Department to give him the money required, but the Finance Department is not paying any heed to his representations. For the information of the House let me state that the total amount spent upon this department ever since the introduction of the Reforms in 1921 has been almost stationary and this is not a very satisfactory state of things. We find, Sir, that in 1921 the expenditure was about 9½ lakhs and in the present budget we find it is about 13 lakhs, but this sum includes certain items which are absolutely unreal. So the amount spent by the Industries Department, if all these unreal items of expenditure are cut out, remains practically the same, if not exactly the same. Now, Sir, this is not at all creditable and I would ask the Hon'ble Minister as well as the Government to give more money to this department for the development of industries.

Honourable members have suggested that more grants should be given to cottage industries and smaller industrialists living in rural areas. The amount that has been placed at the disposal of the Board of Industries by the Government is a very limited one, namely only Rs.15,000. Now this amount is not sufficient for the 48 districts of the province covering a very large area. The Hon'ble Minister has already pleaded that he has done his best to ask Government to give more money but he has failed in his efforts to get it. We do not know what the Hon'ble Minister has done towards getting a loan for the development of industries in these provinces, as he has not yet replied to the speech of Mr. Chintamani. When loans have been taken for all kinds of purposes both productive and unproductive including the most unproductive purpose, namely the Police Department, there is no reason why a loan should not be taken for the industrial development of the province. This will be for productive purposes and it will certainly decrease unemployment also in these provinces. When loans were taken for the purpose of erecting police buildings, and when loans have been taken for the development of hydro-electric scheme and various other purposes a loan can certainly be taken for the purpose of industrial development. For the purpose of industrial development this small sum of Rs.15,000 or Rs.20,000 for such a big province will not be enough. I think a bigger amount will be required. Loans may then be advanced to industrialists in the province, whose credit is well known and from whom there will be a fair prospect of getting back the money. It is a strange thing that the Board of Loan Commissioners has not worked at all during the last 5 or 6 years. Perhaps it is due to the fact that no money was available to give as loans. This is very unfortunate also. I will therefore suggest and I hope the honourable members will agree with this that the Government should adopt a very broad policy of giving loans to the various industries of this province. If the Government takes this course, there is no doubt that the industries will develop and unemployment also, which is the curse of the

day, will decrease. I hope the Hon'ble Minister will place this proposal before the Government and the Government will sympathetically consider it.

Mr. R. T. Shivdasani: Sir, the honourable member for Moradabad has suggested that the Industries Department might assist the brass industry at Moradabad in making electric fittings. Moradabad specializes in sheet brass work, whereas electric fittings are made by casting. Aligarh specializes in this work with the help of the Metal Working School there, but some men could be sent from Moradabad to learn this industry in Aligarh. On the whole I think it will be better for the brassware industry at Moradabad to stick to their own special kind of work. The honourable member for Mirzapur next suggested that the department might assist the industries in various districts, and in particular he referred to the industries in his district. To begin with he mentioned the silk industry. I might mention that there is not much scope for the development of this industry on a large scale. It can only succeed if it is worked on a cottage industry basis, and we have already tried to help the cottage workers there by sending out a demonstration party to introduce new designs among them. We have also offered to subsidize a store which would sell the products of the cottage workers of Mirzapur. I am sorry to say that so far this has not been availed of and we have received no applications for taking advantage of this offer. The honourable member next referred to the pottery industry at Chunar. We are quite alive to the needs of this industry. We made an experiment in helping the pottery industry at Khurja. Unfortunately the expert, who was sent there, was no expert and the results were not encouraging. As a matter of fact the Board of Industries had sanctioned a grant for helping the pottery makers at Chunar, but we have held up the scheme because we have not been able to get a suitable expert. The honourable member next referred to assisting the stone workers at Mirzapur. There are two classes of work in this line. One is fancy stone work, like paper weights and other such things. We are trying to help in the marketing of this class of goods. As regards the big stone quarries I am afraid the department cannot help it in any way. Reference was also made to the carpet industry of Mirzapur. The Ottawa agreement is already assisting in the export of these carpets. I believe the largest market for these products at present is in foreign countries, where a large quantity of these carpets is being exported. There are very large concerns in this business and they have never approached us for giving them any financial assistance. Nor can any assistance be given to the cottage workers who in effect are merely carrying out or executing orders placed with them by the large firms because they will not be able to dispose of their goods independently of these firms. To a certain extent the United Provinces Arts and Crafts Emporium gives help in the marketing of carpets manufactured by such carpet makers as are trying to do business independently of these big firms. We also tried to see if any assistance could be given to the carpet manufacturers at Mirzapur in the matter of designs; but they do not need our assistance. They have got large business in foreign countries and they have got very

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highly paid technical experts who can advise them better in the matter of designs than any of our staff. Besides, they find it more useful to change their designs according to the actual demand in the market.

The honourable member next referred to the brass industry at Mirzapur. The main difficulty of this industry lies in regard to the competition which it has to face with machine made brass and aluminium utensils. This is a matter of public taste in which I am afraid the Industries Department cannot do very much. We have, however, made arrangements to help them in the matter of marketing to a certain extent through our rural development scheme. But I am afraid the demand for this kind of goods will never be more than anything merely local.

The honourable member next referred to the very high prices charged for the articles made in our industrial schools and he said that on account of the high prices charged for them these articles were beyond the means of average customers. I should like to say that no articles are made in our industrial schools merely for the purpose of trade; only such articles are made which have to be prepared by the boys in the course of their training, and the principle on which our price is fixed is based on our attempt not to compete with the people in the business. We do not want in any way to handicap persons engaged in the different trades.

I would next refer to the remarks made by the honourable member for Azamgarh. He suggested that an industrial school should be started in that district. We had a carpentry school in that district some years ago, but it had to be abolished as it was not doing well. The honourable member next suggested that our model weaving school at Mau may be shifted to Azamgarh proper. Mau is a very important centre of handloom weaving industry and the idea of these schools is not only to train the students but also to assist people in the industry by supplying them with new designs and advising them on the use of improved appliances. This purpose would not be served if the school were shifted to Azamgarh.

I would next refer to the honourable member for Budaun. He has suggested an increase in the number of industrial schools. I believe this matter has been fully threshed out on the floor of this House and needs no remarks from me. He has next suggested co-operation between different departments. So far as I am concerned I am glad to say that I have always received very sympathetic co-operation from all other departments to which we have ever had the occasion to make a reference. He also suggested that cottage industries should be developed on a co-operative basis. Efforts are being made in this direction, but as honourable members know this is an uphill task and we cannot expect any startling results in a short time. The honourable member next referred to the financing of cottage industries. The matter has been considered by the Industrial Finance Committee and the proposals of that Committee are under the consideration of Government.

I will next refer to the honourable member for Ghazipur. I am afraid the subjects referred to by him relate more to the Agriculture department than to my department. He has suggested making arrangements for the disposal of bajra, for promoting the cultivation of more

cotton and for helping in fruit cultivation. I am not in a position to make any remarks about any of these subjects.

The remarks of the honourable member for Agra were general in the form of advice, and I believe do not require any special explanation by me.

The Hon'ble the Minister for Education: Sir, this debate has, if I may say so, resulted in some very useful suggestions. I thank all the honourable members who have considered the needs of the Department of Industries in such a helpful spirit. The Director of Industries has dealt with the remarks of a number of honourable gentlemen who have spoken. I wish to assure them all that their suggestions will receive our most earnest consideration. They have shown unmistakably that they are keen on the development of the activities and the resources of Department of Industries. Nothing could gladden my heart more. As the House knows, industries have been my pet obsession, and it has been my earnest desire to see, before I lay down the reins of my present office, some kind of real industrial development in the province. If I have not succeeded to the extent that I wanted, it is due largely to circumstances beyond my control. But from the time that I assumed office of the Minister of Industries I have not failed to give my best attention and thought to the problems which are waiting to be tackled. The Industries Department has a record of which we need not be ashamed. We have done a great deal, but I recognize that much more remains to be done. We have to embark on a bold policy of industrial development. The development of industries is bound up with a number of matters which do not belong strictly to the Industries department. First and foremost industries are dependent upon customers—consumers. If we can increase the purchasing power of the people, we are sure to have industrial development in its wake.

Pandit Shri Sayadatan Pande: In what manner?

The Hon'ble the Minister for Education: I do not make an idle remark when I say that if only we could increase the consuming power of the millions who live in this province, *ipso facto* there would be a development of industries on a much larger scale than we can imagine. I give an example. If only every adult in this province could afford to buy one pair of *dhotis* per year more than what he or she is doing, there would be room here for 180 more cotton mills and there would be great development of cotton cultivation in the province.

Rai Bahadur Vikramajit Singh: But they find it difficult even to purchase their present output.

The Hon'ble the Minister for Education: My point was that if we could improve the purchasing power of the consumer, he would have no difficulty then in being able to use one pair of *dhotis* more per year. The extent of our poverty in the countryside is so great that people would go without their much needed requirements if they cannot afford to buy them. Have we not seen millions of people going about in tatters? This is a larger question I recognize; it will take a great deal of time

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and effort to solve it. However, through the activities of the Agriculture department, the Irrigation department and various other departments, we are trying to improve the economic condition of the agricultural masses. The recent debt legislation ought in time to prove a great boon to industries. For once the load of debt has been lifted off the chest of the agricultural masses, their consuming power, their purchasing power, is bound to improve. Then again, Sir, our rural development movement ought in course of time to prove of the greatest value in this direction.

Having made so many general remarks, I will now with your permission turn to the very elaborate and comprehensive survey made by the Leader of the Opposition of what has so far been done by the department, what should not have been done, and what should be done in the future. I welcome his remarks as they have been couched in a very helpful tone. He has, if I may say so, given us a great deal of material, which will prove of great value to us. I will answer some of his more important points, particularly those in regard to which he has asked for information. Sir, he has rightly complained about the delay in the publication of the report of the Industries Department. I am very sorry that the report has been so much delayed. The report has just been issued, and I have just got an advance copy which I will pass on to my friend. I have told the Secretariat that in future such delays should not take place. This report contains a long chapter on the Stores Purchase section, and all the information which my friend desires will, I hope, be found in that section. As regards the new Stores Purchase rules, Sir, these were published some time ago. I have got here with me an Industries Department notification, dated the 13th March, 1935, under cover of which the rules were published. I do not know whether the rules were sent to the Press, but they were certainly published in the Government Gazette. I agree with my friend, Mr. Chintamani, that it would have been desirable if the rules had been at the same time sent to the press. I next come to the sugar-cane rules. I have noted the complaint of my friend, Mr. Chintamani, as regards the difficulty in interpreting those rules. I will, as desired by him, examine them carefully both as regards substance and as regards language, and I will try and remove any ambiguity which may exist in them. Mr. Chintamani has next inquired as to what is being done by the Department in regard to the utilization of molasses. Sir, this is a problem which has been engaging the most careful attention of the Department of Industries and also of the Department of Agriculture. A good deal of research has been carried on in the Technological Institute at Cawnpore and we have secured encouraging results. As the House knows, there are various ways in which molasses may be utilized. First and foremost comes the conversion of molasses into power alcohol. A process for this has been invented. At least two chemists of the Technological Institute have been working at it for some time. They have even visited Europe and studied the processes there, and so far as one can see there seems to be no technical difficulty in manufacturing power alcohol, but Sir, the main difficulty there is commercial. Power

alcohol has to compete with petrol. Petrol is the monopoly of very influential firms, and unless there can be some guarantee that they will not undercut power alcohol nobody would think of sinking money in that business. Moreover, power alcohol will in the new constitution be the concern of the central Government and it is only natural that they should be anxious not to lose the revenue which they are at present getting from petrol. These are the difficulties which are beyond us and that is why there has been no practical development in that line. All the same I granted a licence to a firm in Meerut to start the manufacture of power alcohol. The firm has so far not done much, but when I met their representative about a couple of months ago he told me that a factory would be put up soon. The other uses of power alcohol are in connexion with cattle food, manure and the surfacing of roads. All these matters have been investigated, but I am afraid none of these offers such a lucrative outlet for molasses as power alcohol. Sir, I called a conference at Naini Tal to discuss this question of power alcohol. I myself presided over this conference and I wish to assure the House that I have taken a great deal of personal interest in the matter and I am quite *au fait* with all that one need know about the matter. Sir, my friend, Mr. Chintamani, has next reminded me of the opinion which I held about the utility of the Technological Institute at Cawnpore some time ago; and he has expressed his appreciation at what he calls a welcome change in my outlook on the matter. Sir, I thank him for recognizing that at least now I am not inimically disposed towards the Institute; but I wish to assure him that I never was. All that I had stated before was that the Institute on the lines on which it was running then did not promise to be a success. I applied myself with a singleness of purpose to improve the working of the Institute. I had to abolish more than one department for which there was no demand. Now, I think, the Institute is on a foundation which will endure. I am very glad of this. I am myself a product of technological education; and I can never be evilly disposed towards any institution which seeks to impart that education.

Khan Bahadur Maulvi Fasih-ud-din : Have you been able to reduce the cost per head?

The Hon'ble the Minister for Education : Yes, very much.

The development of the Institute into a sugar institute, which has taken place now, will, I am sure be welcomed by all of us. The United Provinces is the seat of sugar industry, and a first class institute of that kind with a big staff and complete equipment will be of the greatest help to the industries. We have tried hard to bring about this development; and we had to bargain equally hard to secure terms from the Government of India which would be of advantage to the United Provinces.

Sir, my friend, Mr. Chintamani, has next referred to the Industrial schools. Sir, I wish to assure him, once for all, that I do not propose going behind the recommendations of the Kharegat Committee. I have never had any sinister motive in respect of technical institutions; and

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I entirely accept the dictum that reorganization of these institutions should be carried out only with the object of making them more useful institutions. We were actuated by this desire, although I might not have been able to convince the House on that occasion. I confess, on second thought, I realized the strength of the argument that action in regard to these technical schools should be deferred until the Sapru Committee's Report was out and I gladly waited for that report. The matter now is being dealt with in conjunction with the Sapru Committee's Report by the Special Officer who has been put in charge of all this work.

The Carpentry School at Allahabad has been mentioned by Mr. Chintamani as an institution which had earned my displeasure. I wish to assure him that it was not so. The idea at that time was that we should have at least one good central institution for each industry in the province, and then a number of district institutions, which would serve as feeders. I will not enter into the arguments for and against the retention of that school, but, as I have told my friend, I will do nothing which is not favoured by the Kharegat Committee.

Mr. C. Y. Chintamani: I want to know whether the Minister wishes to reduce it.

The Hon'ble the Minister for Education: I do not remember what the recommendations of the Kharegat Committee are in regard to this question at the moment. I wish also to assure Mr. Chintamani that I have myself a great deal of love for Allahabad. I have never had any cause not to like Allahabad. I spent my boyhood in Allahabad, I received my education there and I am not so ungrateful as to forget what Allahabad gave me. Of course Cawnpore may have given me more by way of material gain. But after all one's mental and intellectual gains are of far more value than filthy lucre.

Sir, as regards Dayalbagh, Mr. Chintamani is quite right in saying that I have the greatest admiration for that institution. I entirely agree with him in what he says about multiplying Dayalbaghs. I sincerely believe that the real solution of the question of unemployment lies in development of a number of institutions on the lines of Dayalbagh. The main thing, Sir, is that our technical schools can give technical training, but once a student goes out of the school he is left to do what he can to derive commercial and practical advantage from his training. If we have an institution like Dayalbagh where young men can settle down and have practically to work at industries, we can find a living for a very large number of them in that way. There is also the advantage of marketing facilities which an institution of this kind necessarily offers. You can market the products of an institution like that in bulk, and that is a great advantage.

Sir, Mr. Chintamani has next suggested that we should provide advances to students who have passed out of technical schools . . .

Mr. C. Y. Chintamani: I did not say 'all'.

The Hon'ble the Minister for Education: Well some.

Sir, he must be aware that we have a provision in the budget of Rs.3,000 for this purpose, but I am informed that even this paltry sum has not been fully utilized in the past. In fact in the last year only Rs.1,000 out of this was spent. From this I do not mean, Sir, that the suggestion does not deserve to be followed up. As a matter of fact, the recommendations of the Pochkhanawala Committee are designed largely to finance and assist technically trained young men. The industrial bank will be charged with the duty of assisting financially such people. But, Sir, it is not finance alone which is required in such cases; you must also give them facilities for marketing their goods. You may finance a young man to set up a small factory, but this requires working finance and working finance is dependent very largely on the facilities which he enjoys for the marketing of the finished goods. The entire question of setting up young men in business is to my mind dependent on the provision of three things. One is finance, the second is marketing and the third is cheap power. We are moving in the direction of making all these three facilities available and if we succeed in this attempt I am sure we shall see a large number of young men taking to industries.

Mr. Chintamani has next referred to a proposal made some time ago for the establishment of a printing school at Allahabad. We have not been able to trace this proposal within the short time which has elapsed since he made his remarks, but I shall look into the matter and see what we can do about it.

I was interested in Mr. Chintamani's remarks about his not agreeing with the recommendation of the Unemployment Committee in regard to the Director of Industries being drawn from the business community. He is entirely correct when he says that a successful business man will not leave his business to take up this post. Yet, Sir, I am sure he will agree that in order that the department of Industries may make real progress it is preferable to have one at the head of the department who knows industries and business. There is no doubt that I. C. S. men who have held this post in the past have done their best. Some of them have been extremely good, but the difficulty is that an I. C. S. man cannot be left with us for any length of time. He either himself becomes tired of the job or due to promotion or some other cause he is taken away. Now, Sir, industry is not a thing which a man can learn in a day. When the Director has acquainted himself with his work, when he has come to know the industries of the province and their requirements, he is taken away. I do not know how we can get over that. We cannot keep an I. C. S. man in the post for all times.

Mr. C. Y. Chintamani: By giving him increase of pay in that very job.

The Hon'ble the Minister for Education: But he himself desires to go away and looks to something else.

Mr. C. Y. Chintamani: Being permanent he will not be at liberty to go away.

The Hon'ble the Minister for Education: We will consider. I am not an expert and I do not know how we can keep a man in a post against his will. Sir, the report of the Industrial Finance Committee is engaging

[The Hon'ble the Minister for Education] the attention of Government. The matter is being examined by Mr. Shah along with the report of the Sapru Committee, and we hope to be able to reach decisions in connexion with all these reports at one and the same time. I entirely agree with Mr. Chintamani that there should be greater co-operation and collaboration with the Hydell scheme of Sir William Stampe. As a matter of fact I know that Sir William Stampe has been most anxious to give us every possible help and he has in the past been of the greatest assistance to us in connexion with the various committees of the Industries Department. There is a cottage industries committee of which he is a prominent member. The object of that committee is to make recommendations about the industries which may be developed on a cottage scale in the grid area. Sir, Mr. Chintamani has next urged on us the need for greater co-operation with jails. I think, Sir, this is a dangerous proposition. I can tell him one case of co-operation in the matter of industries with a jail. The Stores Purchase Department entrusted the work of the manufacture of uniforms for the police to a certain jail and assisted them with the technical side of the work on the understanding and in the belief that they had the labour. The jail were not able to keep to the contract. They turned out goods which were not satisfactory and when they were called upon to explain they said that they made every attempt to get a sufficient number of tailors into the jail but they failed. Obviously there was want of co-operation between jails and police, otherwise the requisite number of tailors would have been there

Mr. Brijnandan Lal: Request the Hon'ble the Home Member.

The Hon'ble the Home Member: To bring more tailors in jails?

The Hon'ble the Minister for Education: Sir, Mr. Chintamani next expressed his dislike for subsidies from the Central Government. I am entirely at one with him. The system of doles is hateful, but when there were these doles going I did not refuse to take them. In fact I made every effort to get as large a share of them as possible and I am very glad indeed that I succeeded to a great extent. We have got handsome grants from the Central Government with the help of which we have been able to do most useful work in the department of Industries, work which would not have been possible without these grants. I referred to some of them in my speech introducing the budget of the department. Sir, the suggestion of Mr. Chintamani about our co-operating with the All-India Spinners' Association or the Village Industries Association is a very interesting one, but co-operation implies two parties. We do not know whether the other party is equally desirous of co-operation.

The only other point remaining in connexion with Mr. Chintamani's remarks is that of the exhibition. I wish to explain to the House once again the great importance of the proposed exhibition. We were approached by a whole lot of industrialists, both Indian and European, who have been most anxious for some time that there should be a display of their goods. The House is aware that the province has advanced industrially out of recognition since 1911 and there is a whole lot of people who do not know what is being done by the U. P. industries. Exhibitions serve a most useful object, and I hope no honourable member in this House underrates their importance. I have examined the

question of cost with some care. It is true that the Allahabad Exhibition resulted in a loss of nearly Rs.3½ lakhs, but we should benefit from the experience which we gained out of that Exhibition. That Exhibition was planned and conceived on a scale entirely different from what we have in mind now. I have here some of the main items of expenditure incurred at that Exhibition. They spent about Rs.1½ lakhs on amusements; Rs.72,000 on water-supply; Rs.1,18,000 on Secretary's office; Rs.1,18,000 on power and light; Rs.7,44,000 on buildings.

Mr. C. Y. Chintamani: "They" means the Government or the Committee?

The Hon'ble the Minister for Education: They spent Rs.1,54,000 on house accommodation;—houses for whom I do not know;—and Rs.50,000 on sanitation.

It is not our intention to be as liberal as they could afford to be in those days. Exhibitions, if properly run these days, ought to be self-supporting. I have studied the finances of a number of Exhibitions. The stalls pay for themselves. The outlay on the planning and making out of the stalls ought to be met from the rents which the Exhibition would receive for these stalls. Then, amusements are always a very paying side of the Exhibition and it all depends on how the show is run. We should not make a loss. Even if we make a small loss I think it is well worth having an Exhibition of this kind; the benefit to the U. P. industries would be so great that an expenditure of Rs. half a lakh or even a lakh would not be out of place. I do not however anticipate any such deficit. We spent last year about Rs.30,000 on exhibitions. The gain to us from an exhibition of this kind would be far greater.

I think I have dealt with almost all the points raised by Mr. Chintamani and I hope that I have been able to satisfy him in regard to his enquiries.

(During the course of the above speech the Hon'ble the President resumed the Chair at 3.10 p.m.)

***Rai Bahadur Sahu Jwala Saran Kothiwala:** I am very much thankful to the Director of Industries when he says that he will send experts to Moradabad for this brassware industry. But I think he is wrong when he says that electric fittings cannot be made cheaper in Moradabad. I can quote him examples. Electric fittings can be made at a cost of Re.1 per dozen, whereas the price of the cheapest foreign made is Rs.3 per dozen. Switches can be made at 6 annas per dozen whereas no switch is sold for less than 2 annas each. I suppose the Director of Industries is not aware of this Industry as he has been holding this office for a very short time, and as the Hon'ble Minister has said, industry is not a subject which can be learnt by a man in a short time. If the Director of Industries visits Moradabad he would learn the brassware industry and will then be able to help.

With these remarks I beg to withdraw my motion.

The motion was, by leave, withdrawn.

The Hon'ble the President: The question is that for Industries a sum of Rs.12,91,388 be granted.

The question was put and agreed to.

* Speech not revised by the honourable member .

GRANT NO. 21—EXPENDITURE ON IRRIGATION WORKS CHARGED
TO REVENUE

The Hon'ble the Finance Member: I rise to communicate to the Council the recommendation of His Excellency the Governor that under grant no. 21, head of account—Irrigation and hydro-electric works charged to revenue, i.e. items 13, 15 and 16, a sum of Rs.52,94,700 be granted and I move that the said sum be voted. The provision in this budget for the coming year is slightly more than 10 lakhs in excess of the amount which was voted for the year now coming to an end. This excess occurs chiefly under Irrigation, to the extent of nearly 8 lakhs, and under Hydel to the extent of about $5\frac{1}{4}$ lakhs, making a total of $13\frac{1}{4}$ lakhs excess, which is set off by a reduced expenditure of roughly 3 lakhs, $2\frac{1}{4}$ being under Works 16-B and the balance being due to certain economies. I will take the items under Irrigation first. Here we have an increase of $6\frac{1}{2}$ lakhs nearly, caused by the acceleration of the programme of tube-well construction which has been carried out in pursuance of the wish of the Council and will have the effect, we hope, of completing the tube-well scheme by the end of 1937-38. There is a further increase of one lakh of rupees due to the proposal to provide a sum of 3 lakhs instead of the reduced sum of 2 lakhs, provided in the current year, for wiping off the unproductive capital expenditure on watercourses on the Sarda Canal. Honourable members will remember that last year the provision of 4 lakhs of rupees under this head was reduced by the vote of the Council to 2 lakhs. Now in the current year, when we are budgeting for a deficit, it will make no difference to our total position whether we contribute 3 lakhs or 2 lakhs for the purpose of writing off that unproductive capital expenditure. because, I am sorry to say, we shall have to borrow the money in either case. The result of paying off 3 lakhs in the current year will be to leave a sum of roughly $5\frac{1}{2}$ lakhs out of the total sum expended on watercourses on the Sarda canal to be paid off by transfer from revenue to capital in the future. It is therefore proposed by Government that the sum to be paid next year should be raised to 3 lakhs. The net result of the operation, I may point out, is to reduce the great burden of interest charges at present falling on the Sarda canal, with regard to which I hope to say more later on. There is another item of Rs.42,000, which is provided for a depreciation fund for Irrigation works; and under Hydel there is a sum provided for a similar purpose. of Rs. 4,11,000. That is to say, we are proposing in this budget, as I explained in my budget speech on 22nd February last, to create a real depreciation fund of Rs.4,54,000 by setting aside this sum from revenue and investing it in an easily realized security. I think no one will have any objection in principle to the creation of a depreciation fund for Hydel and tube-wells. This was indeed the strong recommendation of all the committees which have examined the finance of the schemes. But it was suggested to me by no less an authority than Sir Otto Niemeyer that perhaps in the conditions of the current year the Government were being unnecessarily scrupulous in providing this sum of $4\frac{1}{2}$ lakhs in actual cash. The intention, as I have just described it, was to take this money from revenue and invest it for this purpose. When you have a

deficit budget to look forward to, that ultimately means that the amount of money which we have to borrow will be increased exactly by that amount of 4½ lakhs of rupees; and it does seem a little unnecessarily scrupulous to borrow money in order to invest it for this purpose. Now, Sir, we can obtain very much the same result, that is to say, the setting up of a depreciation fund for hydel and tubewells, by adopting the same procedure as we follow in the case of the Government Press Depreciation Fund. There we simply make a book entry under the debt heads and so constitute a paper fund to provide the amount required. We do not anticipate that next year we shall have to incur any expenditure from this fund and we hope that for several years to come no substantial expenditure will be required under this head. All our plant is comparatively new and if it is properly looked after, the charges under the head of repairs and replacements should for some years be small. But it is certainly desirable that this depreciation fund should be constituted so that we may have a fund on which to draw when, as will inevitably happen after some years, we have to start replacing machinery and other parts of our electric plant. But, Sir, this object can be served just as well by creating a *pro forma* account under the debt heads, and if the members of the House so desire, Government are prepared to make this change in the budget which will have the effect of reducing our revenue deficit at the end of the year by 4½ lakhs of rupees. For my own part I consider that in the circumstances of the present year we should be well advised to follow this course.

Under the head of Irrigation which I have just been describing the only other item which I need refer to is the reduction of Rs.73,000 in our expenditure due to economies which the Chief Engineer has kindly undertaken to carry out. Those economies will be obtained under the heads of "Extensions and Improvements" and "Maintenance and Repairs;" and in view of the fact that we have been for several years past budgeting for a sum of Rs.4 lakhs short under these two heads, I hope honourable members will agree with me that we should be grateful to the Chief Engineer for this further concession to our financial position. It is I think a slightly risky proceeding to cut down our provision under these heads; but the Chief Engineer has consented to help us in this way on the strict understanding that, should there be any serious damage or any calamity occur on any of our major canals or their tributaries and distributaries, Government will, without hesitation, provide additional funds by means of a supplementary estimate to enable him to carry out the essential repairs required. That, I think, is a perfectly fair bargain to make with him.

Under the head Hydel, I have just explained that there was an increase of about 5½ lakhs of rupees. This consists principally of the item of Rs.4,11,000 which is the contribution under Hydel to the depreciation fund that I have just been describing. The balance of rather more than a lakh, consists of a number of small items chiefly due to the expansion of the whole Hydel project.

The only other point to which I need allude is the savings under the head "Works." There is here a decrease of expenditure of about 2½

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lakhs which results from a decision that the cost of construction of minors on the Sarda and similar expenditure in Bundelkhand and Rohilkhand for the development of irrigation will be charged in the coming budget year to capital instead of to revenue, as used to be done in the past. I think these minor irrigation works were fairly charged to revenue in the past when we were more prosperous; but now that our finances have temporarily become so embarrassed, I have thought it desirable to use every method of avoiding revenue expenditure for the present. I do not think I need go into any further detail. If there are any other points which honourable members wish to refer to, I have no doubt they will bring them out when the cuts are moved.

But, Sir, there are two points that I would like to deal with before I sit down. One is with reference to that suggestion made by the honourable the Leader of the Opposition with regard to the desirability of increased co-operation between the Irrigation Branch and the Industries Department and other departments. That, Sir, I recognize to be a most desirable thing; and so far as I am concerned I can assure my honourable colleague, the Minister in charge of Industries, that both Sir William Stampe and myself will always be ready to do all we possibly can to assist him in the development of his industries by means of the cheap electric power now available through Sir William Stampe's energy and initiative in so many of the western districts of the province. I may remind honourable members that this very point was stressed, and very strongly stressed, by the expert committee which re-examined the final form of the Hydel Grid Scheme in November last. They said that it was in their opinion of paramount importance that everything should be done to develop the industrial load on the grid. This can most suitably be done by collaboration with the Department of Industries as far as possible.

But there is another and almost more important way in which the Irrigation Branch stands to gain by collaboration with another department of the Government, i.e. the Agricultural Department. Now, Sir, I need pay no more tributes to our late Director of Agriculture, Mr. Allen, in addition to the many which he has already received; but I should like to say once again how greatly we appreciate the interest and the trouble he took in helping the Irrigation Department to develop demand for water both on the Sarda and in the Hydel grid area by introducing improved and better forms of cultivation, whether it might be rice, cotton, sugarcane or any other crop. And, Sir, it will depend very largely on how close is the collaboration between the Agricultural Department and the Irrigation Branch, whether the Sarda canal reaches its full expansion of command within the next four or five years or not, and also whether the returns from that great system of irrigation suffice to cover the interest and maintenance charges within a fairly short period or not. Now, Sir, I might mention, for the information of the House, that on the day after tomorrow I am hoping to arrange, if the Hon'ble Minister can spare the time, to have a small conference with him and with Sir William Stampe on a matter of great importance to the development of tube-well irrigation. The

day after tomorrow is the first holiday we shall have had for a considerable time, but I am afraid that, Amawas or no Amawas, we shall have to try and do a little work that day. That is an instance of the collaboration to which my friend, the honourable the Leader of the Opposition, referred; and I therefore mention for the information of the House that we also on our side are not unmindful of its advantages.

The only other thing that I wish to refer to before I sit down is the vexed question of the Sarda canal. Last year there were some opinions expressed that on the whole the Sarda canal had not come up to expectations and that it had not for some reason become a paying concern as soon as it ought to have done or rather as soon as we anticipated that it would before the project was started. Now, Sir, I do not propose to deal at any length with the history of the Sarda canal, though it is an interesting and instructive one. I may briefly refer to the early projects on the subject. It was first mooted in the year 1856; but during the troubles of the following year that project was destroyed and it was abandoned for the time being. Since that time no less than thirteen different projects have been prepared for the utilization of the waters of the Sarda river and submitted to Government—a rather striking instance of long delay before the Government could make up its mind to take the final step of construction. One big project was prepared in 1871, approved by the Government of India and sanctioned by the Secretary of State; but it was stopped in the following year apparently owing to a protest by the taluqdars who feared that the introduction of a canal in some of the districts of Oudh would result in water-logging and an increase of malarial fever. Various other projects were framed and considered, but none of them was accepted until in 1903 the Irrigation Commission, after considering the whole project for making use of the Sarda at great length, made suggestions that on the whole the best way of utilizing its waters would be to carry them across the province of Oudh and supplement by their means the supplies in the Ganges and the Jumna canals. As a result of that recommendation various projects were set on foot and eventually in 1911 a big project called the Sarda-Ganges-Jumna Feeder was sent up for sanction. Meanwhile there had been a change of feeling in the province of Oudh owing perhaps to the famines or rather to the scarcities of 1906 and 1907 which, as honourable members will remember, severely affected some of the districts of Oudh, such as Bahraich and Gonda. It was beginning to be apparent that even the fertile province of Oudh was not exempt from the possibility of scarcity or even famine; and as a result of this change of view the taluqdars submitted in April, 1913, with regard to the project which had recently been sent up to the Government a strong representation to the Lieutenant Governor asking him to revive a scheme for a canal to be taken out of the Sarda to irrigate their districts. In the following August a deputation of the taluqdars waited on the Lieutenant Governor and pressed this proposal on him. The following monsoon was a failure: some of the Oudh districts were severely affected and many sources of Irrigation, both wells and tanks actually failed. This had the effect of deciding the Lieutenant

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Governor to abandon the previous project to 'carry the waters of the Sarda into the Ganges canal. He gave orders that new project should be prepared for a canal to irrigate Oudh and parts of the Rohilkhand Division. This project was accordingly prepared. This, the last project, was submitted to the Government of India and the Secretary of State in 1916. Owing to the pre-occupations of the war it was a long time before it was finally sanctioned. There was a good deal of the usual correspondence beforehand as the Secretary of State naturally wished to assure himself that this great and very expensive project had been fully and carefully gone into before he sanctioned it. Eventually the project was put in hand in 1920, and as everybody knows, the canal was actually completed in 1928 and opened on 11th December in that year by Sir Malcolm Hailey. This project was designed to irrigate eventually a total area each year of $13\frac{1}{2}$ lakhs of acres; but no one expected that this large area could be worked up to in less than ten years. Ten years is the normal period allowed in the case of all big projects for them to reach their ultimate development; and I need hardly point out that that period of ten years will not be reached until the end of the year after next. But in the case of this rather ill-starred canal it is obvious that the full development cannot be reached within ten years of its inauguration, since so many adverse circumstances have intervened to slow up the rate of progress. The chief reason which is at the bottom of this canal's failure to work up to schedule is the agricultural depression which supervened within a year of its opening. This resulted in a number of cultivators in the tarai area included in the northern part of the tract commanded by the canal holding back and not taking water. They felt quite naturally that, with the low prices which were all they could expect to obtain from their produce, there was little chance of making a substantial profit if they paid for the additional water. They felt this would increase their cost of production without being essential for the purpose of securing their crop. What I mean is that if a man is cultivating in a dry area he knows that he will not get a crop at all unless he takes water which he is therefore forced to take. But in an area where there is more or less adequate supply it takes a good deal to convince the cultivator that the extra cost of water will be more than made up by the increased yield of his cultivated fields. Another difficulty standing in the way of the expansion of irrigation in the Sarda area has been that the cultivators there have not been accustomed in the past to grow early kharif crops, such as millets, cotton and rice. The result is that kharif irrigation in normal years has been practically confined to sugarcane. That no doubt is a profitable form of irrigation from the point of view of the Canal Department: But this attitude of the cultivator results in the extension of the irrigated area being retarded, and it is in order to encourage cultivators to take up these improved varieties of cotton, rice, etc. that we have asked the Agricultural Department to assist us by propaganda work in this area. We have already a special staff working under the Director. Originally there were four centres for work of this kind, but recently—thanks to a vote of the House—it has been possible to open two more centres. We hope that this increased activity of the Agricultural Department in persuading cultivators to

Now these improved varieties of early rice and early cotton, for which they must take canal water, will cause an expansion of the irrigated area which will be both to the cultivators' advantage and to that of the provincial revenues.

With regard to the actual area served by the Canal, I am sure the honourable members of this House will be interested to hear that in the project, when originally drawn up before 1928, it was estimated that up to the end of the year 1935-36 we should have obtained an irrigated area (taking the total of the irrigated areas year by year from 1928 to 1936) of 49½ lakhs of acres. The area which has been irrigated during that period is 54,08,000 acres, so that actually—thanks to the efforts made by Mr. Anderson and his staff—the estimated area has been exceeded by something like 5,00,000 acres. This is very satisfactory in view of the great difficulty under which the Irrigation Department have laboured, arising from the slump to which I have just alluded. Nevertheless, although the total area is larger than the one estimated, the annual area has not yet reached the figure which we hoped it would reach before the Canal was opened. The area irrigated during this year, 1935-36, which is the largest yet reached, amounts to practically 9,89,000 acres, very nearly 10 lakhs of acres; but we are short of the area estimated by 60,000 acres. The area irrigated in the current year is the largest ever done in the history of the Sardar canal; and if honourable members will cast their mind back over last cold weather, and think of the extraordinarily plentiful rain which we have received from time to time, and so opportunely, I think they will agree that we have really done very well to get this large area of practically 10 lakhs of acres irrigated during the current year. The rain which fell in early December sufficed for irrigation purposes over a large area; and it was succeeded by rain both in January and February. I do not, for a moment, say that we should have preferred to have a dry cold weather, because what we have lost on the Sardar canal we have made up a hundred-fold in the enormously increased yields in the districts threatened with crop failure where a demand for large remissions of revenue owing to the failure of the last monsoon might easily have arisen. I think honourable members will agree with me that the Sardar canal has come up fairly well to our expectations in the matter of development. As for the financial return, there again, I am afraid, we shall probably not succeed in working up to the original estimates. Perhaps those estimates were a little too optimistic. They also did not take into account the very high rate of interest which we have had to pay on Sardar loans during the last few years of its construction—rates which have amounted to as high as 6½ per cent. I am glad to say that those rates are gradually coming down as the Government of India give us the benefit of their conversion operations. This year they were able to convert the loans of, I think it was, 1929-30, thus effecting a saving to us of about three lakhs of rupees in annual interest charges; and we hope that in the next two years we may obtain the benefit of similar conversion operations of the Government of India. But I am afraid the

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burden of debt on the Sarda Canal is a heavy one and it will be a difficult task for us to make it completely paying concern. This depends on a number of factors connected, for instance, with the charging of occupiers' rate at the full amount and with the levying of owners' rate, which I perhaps need not go into here. These questions are exercising the mind of Government, as indeed is the whole question of canal rates outside the tube-well area, where a final decision, as honourable members will have seen, has just been reached. I had better not embark on the vexed question of canal rates at this late hour, and I will only assure the House that this matter is engaging the careful attention of the Government at the present moment and that Government hope, within the next month or two, to come to a decision on the matter, which they will publish for general information.

Rai Sahib Babu Kamta Nath Saxena : Sir, I beg to move that under sub-head XIII-B—Unproductive Works with capital accounts (Head XIII-A—2) Total, a reduction of Re.1 be made.

My object in moving this cut is to bring to the notice of the Government the necessity of a third weir on the Betwa Canal. While large sums of money have been spent on the Sarda Canal, while large sums have been and are still now being spent on the hydro-electric schemes, due attention does not appear to have been paid to the canal system in Bundelkhand, where water supply is not sufficient for irrigation purposes and improvement of crops. According to the opinion of the Agriculture Department if irrigation facilities are available, both sugarcane and cotton can be successful crops in Bundelkhand. As a matter of fact some time past cotton used to be a very important crop in Bundelkhand. About the year 1874 more than 29 per cent. of the area of Jalaun District was under cotton cultivation and Bundelkhand cotton was considered much superior to that grown in other parts of the province. But in spite of these facts Government have not taken sufficient interest in the irrigation schemes in Bundelkhand, partly because they consider these schemes unproductive ones. Sir, even if Bundelkhand canals are not productive ones they have saved Government expenses on famine works and remissions in Land Revenue which the Government would have had to grant on failure of water supply. There is no reason why the Government should not pay due attention to the irrigation schemes in Bundelkhand and the eastern canals. Sir, this matter came up before the United Provinces Irrigation Board on 25th September, 1935, and the Irrigation Board recommended that the Shahzad reservoir scheme on the Betwa Canal should be taken up at an early date. The Board was also in favour of the Dhasan reservoir scheme. Up to this time I do not know what action the Government have taken on these recommendations. The United Provinces Government are paying huge sums of money by way of interest to the Government of India. Something like Rs.50,00,000 are paid annually on the Sarda project alone, by way of interest at $6\frac{1}{2}$ per cent. per annum as the Hon'ble the Finance Member pointed out. I think, if it could be possible to reduce this rate of interest by 2 per cent., that would save sufficient money to undertake one of these two—Dhasan, or Shahzad weir schemes, which would cost only Rs.15 or 16 lakhs.

I would like to hear the reply of the Government before proceeding further with my cut motion.

Mr. F. Anderson : Sir, my friend the honourable member from Jalaun District has raised questions regarding the proposed Shahzad weir on the Betwa river. I admit that the storage available for the Betwa canal is inadequate nowadays. This is due entirely to the fact that the storage of the Dhukwan reservoir has decreased from 6,200 million cubic feet to 5,000 million cubic feet. The storage of the Parichha reservoir is the same as it was in 1870, when this weir was constructed; the reduction in the storage of the Dhukwan reservoir is entirely due to the fact that silting is proceeding rapidly. Parichha weir is situated on a very favourable site and by the construction of the dam, the old river regime has not been altered in any appreciable way. Projects have been prepared for new storage schemes on the Betwa river, and of the five projects that have been prepared during the last four years, the Shahzad project is by far the best. The additional storage required on the Betwa canal is about 4,000 million cubic feet which can be obtained on the Shahzad river. The cost of the scheme is about 12 lakhs excluding overhead charges such as establishment, tools and plant. This scheme with a similar scheme for a third reservoir on the Dhasan river was submitted to the Government, with the recommendation that the Dhasan scheme should be constructed before the Betwa scheme for the very good reason that the storage on the Dhasan has decreased by 50 per cent. during the last fifteen years, whereas it has decreased on the Betwa by about 20 per cent. Both schemes are ready, and as far as I am aware, Government will take up the Dhasan scheme before the Betwa. But neither of these two projects can be taken up at the moment owing to the financial stringency.

All canal works in Bundelkhand are charged to the protective head, whereas the Sarda is charged to productive. Any saving anticipated in interest charges on the Sarda loan cannot be allocated to protective works.

Rai Sahib Babu Kamta Nath Saksena : Sir, I knew that ultimately the question of financial stringency will be brought in and the Government will come forward with their usual reply that their finances do not permit further expenditure on protective works. When they have been spending such large sums of money on other schemes, I fail to understand why they cannot spare much smaller sums for these promising schemes in Bundelkhand. In any case on the assurance of Mr. Anderson, who has been taking a keen interest in the irrigation projects in Bundelkhand, that the Government will take up the Dhasan weir scheme and the Betwa-Shahzad weir scheme as soon as funds are available, I beg to withdraw my motion.

The motion was, by leave, withdrawn.

Rai Bahadur Babu Jagadeva Roy : Sir, I beg to move that under the entire head, a reduction of Re.1 be made.

[Rai Bahadur Babu Jagadeva Roy]

My object, Sir, in moving this cut is that in the district of Ghazipur especially in pargana Zamania a considerable area stands very badly in need of irrigation facilities. I may just mention here that there is a river—Karamnasa—which separates the two provinces of United Provinces and Bihar, and that a portion of this pargana Zamania is by the side of the river Karamnasa. So there is a canal system prevailing in the Bihar Province. Since the agriculturists of the neighbouring villages of that province are getting the benefit of the canal system which prevails there a similar benefit is very badly needed for the agriculturists of the Zamania pargana who have the area near river Karamnasa. So my suggestion is that this Government should try to introduce the canal system there from the river Karamnasa or river Sone. If this Government find this scheme very expensive then my alternative suggestion is that the Government can meet this need by correspondence with the Bihar Government, and if the canal system can be extended by that Government to the area which is required to be irrigated in this province then this Government can give a sort of contribution to Bihar Government for this purpose. I do not know whether any attempt by the Government has ever been made for introducing the canal system in the Ghazipur District by the aid of river Karamnasa. If no attempt has ever been made then I think they should do so now. I do not think it will be reasonable for the Government to say that they have a scheme in the western districts and that they have under experiment a scheme in the Fyzabad District. This will not solve the difficulty, because Zamania pargana is after all quite separate and quite apart and in my opinion it will be cheaper if the canal system is introduced to meet the requirements of the people of that pargana. With this object in view I have moved this cut and I do hope that the plea of financial stringency will not be raised in this case, because that district has never been benefited in any way by any scheme which will facilitate irrigation. That is one point. The second point is that even if the Government are required to borrow money for this object they should do so, as owing to the low rates of interest prevailing and the charge for water from the agriculturists will enable the Government to pay off both the interest and the principal in course of time. For these reasons I think that it will be a great blessing to the people of that district if such a scheme is introduced there.

Rao Sahib Thakur Shiva Dhyan Singh :

راؤ صاحب ٹھاکر شیو دھیان سنگھ —

جناب پریسیدنٹ صاحب— راء بہادر بابو جگدیو راء صاحب کے نام پر جو کٹ under the entire head میں ہی اس کے متعلق گورنمنٹ کی توجہ اس point کے طرف دلانا چاہتا ہوں کہ شرح آبپاشی کو زائد کہتے ہوئے کونسل کے اندر تمام میمبر صاحبان ہار گئے لیکن افسوس شرح آبپاشی کم نہ ہوئی جناب آج کل آبپاشی سنہ ۱۹۳۶ء کی ہی اور مالگذاری و لگان سنہ ۱۹۰۱ء کا ہے یعنی آج کل گورنمنٹ نے جو remission مالگذاری زمینہ-داران پر اور کاشتکاروں پر ادھی کمی لگان میں دینے کے بعد جو مالگذاری و لگان رہ جاتا ہے وہ سنہ ۱۹۰۱ء کے مطابق ہی لکن آبپاشی جو سنہ ۱۹۳۶ء میں اس وقت

موجود ہی وہ بھی سنہ ۱۹۰۱ء کے مطابق یعنی جو اُس وقت آبپاشی تھیں وہ ہونا چاہئے اس کے علاوہ کاشتکاران کی فصل کی حالت پھداوار جیسی نہ آج کل خراب ہو رہی ہے وہ گورنمنٹ کو اچھی طرح سے معلوم ہی کیا اُس کے واسطے کوئی انصاف کیا جاویگا اور کیا آبپاشی کی شرح کم ہو سکے گی؟ وجہ یہ ہے کہ پیداوار حقیقتاً بہت کم تعداد میں پیدا ہو رہی ہے یہاں تک کہ جو سب سے بڑی paying چیز کاشتکار اور زمیندار نے لینے تھی وہ ایکہ ہی پچھلے سال ایکہ میں کچھ خرابی آجانے کی وجہ سے یعنی پالا زیادہ پڑنے کی وجہ سے ایکہ بالکل خراب ہو گئی تھی اور اُس وقت گورنمنٹ نے آبپاشی میں کچھ معافی دی تھی لہذا میں گورنمنٹ سے یہ استدعا کرونگا کہ وہ براے نظر عنایت یہ دیکھے کہ آج کل جو شرح آبپاشی سنہ ۱۹۳۶ء میں رائج ہے وہ سنہ ۱۹۳۶ء کے مطابق ہے اور مالگنداری و لگان وغیرہ سنہ ۱۹۰۱ء کا ہے تو یہ ۳۶ سال کا فرق لگان و مالگنداری اور آبپاشی میں کیوں رکھا گیا ہے؟

The Hon'ble the President : سنہ ۱۹۳۶ء میں

Rao Sahib Thakur Shiva Dhyani Singh : مالگنداری و لگان بڑھنے کی

re-settlement اور settlement ہونے کی وجہ سے زمینداروں کو پوری توفیق ہے جبکہ حالت واقعی خراب ہے لیکن جب مالگنداری بڑھ جاتی اور اُس وقت یہ شرح ہوتی تو ہم بھوشی اُس کو منظور کر سکتے تھے لیکن آج کل شرح میں کمی ہونے کی سخت ضرورت ہے اس لیے عرض کیا جاتا ہے کہ اس کے واسطے favourable جواب ملنا چاہیئے کیونکہ یہ سب کونسل کے میمبر صاحبان اور خاص کر زمیندار صاحبان تو ضرور اس کے واسطے impatient ہیں کہ سب شنوائی ہوگی *

Khan Bahadur Maulvi Fasih-ud-din : Sir, my friend Mr. Shiva Dhyani Singh has raised a very important question in connexion with the canal management. This question has been engaging the serious attention of this honourable House as well as of the whole of the agricultural population of these provinces. The fees were fixed at a time when the prices of the agricultural commodities were about at least $1\frac{1}{2}$ times the prices which are prevailing now. The value of the rupee at that time was 50 per cent. less than what it happens to be now and when these prices are realized in the shape of cash then the plain meaning of this arrangement is that a tenant has to pay twice the amount of fee which he used to pay in the pre-slump days.

The Hon'ble the President : May I inform the honourable member that the Hon'ble the Finance Member has already alluded to this matter and he said that within the next month or so an announcement would be made. Would it not be better if this matter were discussed at Naini Tal, if necessary. He has already said that the matter is under consideration.

Khan Bahadur Maulvi Fasih-ud-din : I hope that the Government will kindly consider this matter seriously and revise the scale of fees in the

[Khan Bahadur Maulvi Fasih-ud-din]
light of the remission of rent and land revenue on the basis of an index price on which circle rates will be based.

Chaudhri Dhira Singh :

चौधरी धीर सिंह—

जनाब प्रेसिडेन्ट साहब, राव साहब ठाकुर शिवध्यान सिंह की ताईद में यह अर्ज करूंगा कि आबपाशी के मुतलिक एक रिजोल्यूशन मैंने रक्खा था इसका शायद २—३ साल हो गये उस वक्त दो आने फो खपया कमो करदो गई थी मगर अफसोस कि उसका अमल दरामद सिर्फ एक हो साल तक रहा और बाद को वदस्वर फिर वैसा हो कर दिया गया। यह नहीं मालूम पड़ा कि इन दो तीन साल में कौन सी तरफ़ी खेती के मुतलिक हो गई कि आबपाशी बढ़ाई गई। इसके मुतलिक फिर मैंने अर्ज किया था तो गवर्नमेन्ट से उसका यह जवाब मिला we sell the water at this price तो सवाल यह आ जाता है कि क्या यह ख़रोद फ़रोख़ का मामला है। यह नहरें इस लिये बनाई गई थीं कि पबलिक को फ़ायदा पहुंचे कि trade के लिये। इसके अलावा एक मर्तबा मेरी मारफ़त मैनपुरी से Agriculture Board में एक दरखास्त आई थी उसके जवाब में कहा गया था कि आइन्दा साल आबपाशी के मुतलिक ख़याल किया जायगा लेकिन मैं अफ़सोस करता हूँ कि आबपाशी कम करने की तरफ़ कोई निगाह नहीं को गई। हम देखते हैं कि हर चीज़ का भाव सस्ता होता जा रहा है ऐसी हालत में हम लोग मज़बूर हैं क्या करें। गवर्नमेन्ट को हर तरह से खेती के मुतलिक मदद करना चाहिये उसके मदद न करने की वजह से तमाम काश्तकारान परशान और बरबाद होते जाते हैं इस लिये मैं गवर्नमेन्ट से फिर यह दरखास्त करूंगा कि आबपाशी में निहायत माकूल कमो कर दी जावे ताकि यह लोग अपनी जिन्दगी बसर कर सकें ॥

Thakur Giriraj Singh : Sir, in this connexion I beg to submit a few points. Water is more necessary for crops even than manure. The irrigation of land should be improved in those places where wells are not in abundance and water is very scanty. It is known to us all that the hydro-electric scheme and Sarda canal have done untold good to the agriculturists but these things have been confined to the western districts. As regards the eastern districts the complaint of the agriculturist is to the effect that some means of improving the irrigation of lands should also be introduced in places, namely Ghazipur, Azamgarh, Jaunpur districts, etc. As regards Ghazipur, the honourable mover has already advanced his arguments, and it will not be out of place if I say a few things in connexion with the Azamgarh district also. The people of Azamgarh are also anxious for this because of the uncertainty of rains due to which the agriculturists do not get the net profit and they suffer a lot. Sometimes they do not get even that what they sow. To encourage them there can be two systems, i.e. (1) one by giving loans to them, known as taqavi, which was given long ago and the result was that most of the landholders and tenants spent their money over digging tanks or reservoirs of water which were used by

them when there were no rains, but now that system has been discontinued. My submission, therefore, is that agriculturists should be given loans for constructing reservoirs of water or wells for irrigating their land, and secondly in places where there is a river and the water of which remains throughout the year, the head of the Irrigation Department or those who have got a special knowledge whether the hydro-electric scheme can be successful in those places or not should attempt the scheme soon as far as possible. Last year and the year before last whenever any cuts were put forward by honourable members, in this connexion the reply was always given by the department that this scheme is being tried in so many districts including Fyzabad. Now, Sir, Fyzabad is a district which is not very far from Azamgarh or Ghazipur, but I do not understand why the districts of Azamgarh and Ghazipur have not been included in the said scheme. Sir, if the Government go on in the way they are doing we do not know in which year the Government would be pleased to introduce this scheme in the Azamgarh district. Sir, with these remarks I finish my speech.

Rai Govind Chandra : Sir, may I draw the attention of the Chair that there is no quorum in the House?

The Hon'ble the President : There is a quorum all right.

Sir William Stampe : Sir, I will answer first the questions put by the honourable members for Ghazipur and Azamgarh, regarding the provision of facilities for extending irrigation to the eastern districts of the province. Government are aware that there is need in certain eastern districts for an extension of artificial irrigation and it was at the end of 1934, that is only eighteen months ago, that special staff was created to investigate the needs of the eastern districts, and as a result, Sir, of that investigation an important scheme estimated to cost 66 lakhs of rupees and to embrace three or four of those districts was prepared and submitted in August last to the Government. In view of the financial condition of the province at the time and also of the fact that not much was known about the actual demand conditions prevailing in those districts, Government considered that 66 lakhs was too large a sum to be invested at one time, and they therefore cut down the project to Rs.16 lakhs. The experiment could thus be made at once with a view to determining two things—first, whether it was possible economically to generate electricity by steam, as there is no hydro-electric power there, and to pump water from rivers such as the Gogra and the Gomti to irrigate the country around by means of canals; and secondly, to see whether there was sufficient demand for water during the Rabi crop. It had been alleged by local officers that cultivators would not take water for Rabi more than once in an average year, and that it was thus possible that an expensive scheme of this nature might not prove successful. Hence we put this project before the November session and as the House knows it was sanctioned and orders are now being placed for the plant. We hope that within a year or 15 months from now the scheme will be in operation. It is the intention of Government, should that scheme prove successful, technically and commercially, as we hope it will, to extend

[Sir William Stampe]

it to the surrounding districts and gradually to move eastwards into the districts mentioned by the honourable members. I would however remind the House that the further we move eastwards the greater the humidity of the soil and the less the need for irrigation. There is thus the danger that an expensive scheme such as the one I have described if it is extended on a wide scale, might not prove commercially sound, and thus become a serious embarrassment to the province. So, I would beg honourable members to wait for a year or two to see what the result of the experimental scheme will be, for I feel quite sure that the Government of the time will be very willing to extend it should the project prove successful in actual practice.

Rao Sahib Shiva Dhyan Singh, Khan Bahadur Maulvi Fasih-ud-din and Chaudhri Dharya Singh raised the question of canal water rates in force and their suitability. I would remind them that the Hon'ble the Finance Member in charge of the department said in his opening speech that all these questions of rates were under the immediate consideration of Government and it was hoped that within a month or two Government would be in a position to make an announcement regarding adjustment of rates which we feel will be acceptable to the great body of opinion in the House. I think it is hardly necessary for me to say more than that at present.

As regards some local grievances which were mentioned by one of my honourable friends if he will approach me in my office afterwards I will undertake to have the matter looked into by the Chief Engineer concerned.

Rai Bahadur Babu Jagadeva Roy: We have been waiting for more than a year and can wait for a year or more, but I am sorry, Sir, that Sir William Stampe did not take into consideration the specific area which I mentioned in moving this cut. He said that experiments would be made in Gogra and Gomti. But as I said in the beginning of my speech I only referred to one part of Ghazipur, and there too I confined myself to one pargana Zamania. So neither the Gomti nor the Gogra can be of any help in solving that difficulty, because there the aid will have to be taken of the river Karamnasa or Sone. Therefore I will only add here that whenever that scheme is tried an attempt should be made to visit this part of the district also, and to see whether the existing canal system in the west of the province of Agra can be extended to this district and if it can be done conveniently, I hope, it will be done and the Government will consider my request. If this cannot be done by this Government then with the help of the Bihar Government.

With these remarks I beg to withdraw my motion.

The motion was, by leave, withdrawn.

The Hon'ble the President: The question is that for Irrigation Works charged to revenue Rs.52,94,700 be granted.

The question was put and agreed to.

(The Council then adjourned at 4.35 p.m. till Tuesday, the 24th March, 1936.)

LEGISLATIVE COUNCIL UNITED PROVINCES OF AGRA AND OUDH

Tuesday, 24th March, 1936

THE Council met at Council House, Lucknow, at 10-30 a.m. The
Hon'ble Sir Sita Ram in the Chair.

PRESENT (85)

The Hon'ble Mr. J. M. Clay.	Rai Sahib Ram Adhin.
The Hon'ble Kunwar Sir Maharaj Singh.	Mr. Bhendu Ram.
The Hon'ble Nawab Sir Muhammad Yusuf.	Rai Govind Chandra.
The Hon'ble Sir Jwala P. Srivastava.	Pandit Shri Sadayatan Pande.
Mr. H. Bomford.	Raja Sri Krishna Dutt Dube.
Mr. J. L. Sathe.	Rai Bahadur Babu Jagadeva Roy.
Mr. A. B. Reid.	Mr. Dahari.
Mr. P. M. Kharegat.	Rai Sahib Rai Rajeshwari Prasad.
Mr. A. A. Waugh.	Thakur Giriraj Singh.
Rai Bahadur Mr. Phul Chand Mogha.	Pandit Prem Ballabh Belwal.
Mr. Hafazat Hussain.	Thakur Jang Bahadur Singh Bisht.
Mr. I. J. Frampton.	Pandit Brahma Dutt Bajpai.
Mr. T. Anderson.	Rai Bahadur Thakur Hanuman Singh.
Mr. Mahmat Singh K. Maheshari.	Rai Bahadur Lal Sheo Pratap Singh.
Rai Bahadur Munshi Mushtaq Ali Khan.	Thakur Muneswar Bakhsh Singh.
Pratap Shankar.	Raja Jagdambika Pratap Narayan Singh.
Rai Bahadur Ram Babu Saxena.	Raja Birendra Bikram Singh.
Sir William Stampe.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. A. C. Turner.	Mr. C. Y. Chintamani.
Mr. R. A. Horton.	Rai Rajeshwar Bali.
Lady Kailash Srivastava.	Mr. Zahur Ahmad.
Khan Bahadur Maulvi Fasih-ud-din.	Khan Bahadur Shah Nazar Husain.
Mr. E. Ahmad Shah.	Nawabzada Muhammad Liaquat Ali Khan.
Rai Sahib Babu Rama Charana.	Mr. Muhammad Rahmat Khan.
Mr. Perma.	Khan Bahadur Muhammad Hadiyar Khan.
Rai Bahadur Babu Avadh Bihari Lal.	Khan Bahadur Shaikh Ghulam Husain.
Chaudhri Ram Dayal.	Khan Bahadur Saiyid Jafer Hosain.
Chaudhri Jagarnath.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Baldeva.	Khan Sahib Muhammad Imtiaz Ahmad.
Rai Bahadur Sahu Jwala Saran Kothiwala.	Shaikh Muhammad Habib-ullah.
Mr. Tappu Ram.	Raja Saiyid Ahmad Ali Khan Alvi.
Chaudhri Ram Chandra.	Raja Sir Muhammad Hujaz Rasul Khan.
Chaudhri Ghasita.	Raja Saiyid Muhammad Mehdi.
Chaudhri Arjuna Singh.	Rai Bahadur Lala Anand Sarup.
Rao Bahadur Thakur Pratap Bhan Singh.	Chaudhri Muhammad Ali.
Rao Sahib Thakur Shiva Dhyan Singh.	Rai Bahadur Lala Prag Narayan.
Rai Bahadur Kunwar Girwar Singh.	Raja Bisheshwar Dayal Seth.
Chaudhri Dhirya Singh.	Raja Jagannath Bakhsh Singh.
Rai Bahadur Kunwar Dhakan Lal.	Mr. E. M. Souter.
Rao Bahadur Kunwar Sardar Singh.	Rai Bahadur Vikramajit Singh.
Rai Bahadur Babu Man Mohan Sahai.	Munshi Gajadhar Prasad.
Kunwar Jagbhan Singh.	
Thakur Mahesh Chandra Singh.	
Rao Narsingh Rao.	

MEMBER SWORN :

Mr. Hafazat Hussain.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

*1. Chaudhri Muhammad Ali : [Postponed.]

APPOINTMENT OF CHIEF CONSERVATOR OF FORESTS.

*2. Pandit Prem Ballabh Belwal : (a) Is it a fact that the present acting Chief Conservator of Forests has been taken from outside the United Provinces ?

(b) Why was not any senior person in the Forest service of the United Provinces Government considered fit to be given a chance ?

The Hon'ble the Home Member (Kunwar Sir Maharaj Singh) :

(a) Yes.

(b) In accordance with rules 18 and 19 of the Forest Department Code, Chief Conservators and Conservators of Forests are borne on the India list of the Forest Service and all permanent or temporary appointments to posts on the India list are made by the Government of India. Mr E. O. Shebbeare, whom the Government of India have appointed to officiate as Chief Conservator of Forests, United Provinces, vice Mr. Canning, was the seniormost Conservator on the India list eligible for promotion to the post of Chief Conservator of Forests.

Pandit Prem Ballabh Belwal : Has it not been the practice of the Government in the past that in such temporary vacancies the claims of the seniormost forest officers in this Province have always been considered and they have been given temporary chances like this ?

The Hon'ble the Home Member : I cannot say off hand what has been the practice in the past, but I have said in my reply that the Government of India are the deciding authority in this matter. I may state for the honourable member's information that one of our forest officers is at the present moment officiating as Chief Conservator of Forests in the Central Provinces.

Pandit Prem Ballabh Belwal : Does the Government mean to say that it has not been the practice in the past that in such temporary vacancies the claims of any senior officer in the department of this province have not been considered ?

The Hon'ble the Home Member : If the vacancy is for a very short time, that question might arise. But in the present case the officiating appointment is likely to last for a long period.

Khan Bahadur Maulvi Fasih-ud-din : Did the Government send up the name of the present officiating incumbent to the Government of India ?

The Hon'ble the Home Member : No, Sir, the Government of India, as I said in my reply, made the appointment.

RETRENCHMENTS IN THE TECHNICAL AND INDUSTRIAL INSTITUTIONS.

*3. Mr. Zahur Ahmad (*absent*) : Will the Government please state if there are any proposals for retrenchment in the Technical and Industrial Institutions ? If so, which are the institutions that will be affected ?

*4. Have the Government any intention of taking this Council into confidence before sanctioning such retrenchments, if any ?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava): Yes; the honourable member is referred to the report of the Industrial Schools Committee, which has been the subject of discussion by the Council several times.

Khan Bahadur Maulvi Fasih-ud-din: No reply has been given to second part of question no. 3 and to question no. 4. I want to know what is the reply to second part of question no. 3 and to question no. 4.

The Hon'ble the Minister for Education: The names are all given in the report of the Industrial Schools Committee which has been circulated to the members.

Khan Bahadur Maulvi Fasih-ud-din: And what about a reply to question no. 4?

The Hon'ble the Minister for Education: Questions nos. 3 and 4 have been answered together. The matter has been before the Council several times and it has been discussed here.

Khan Bahadur Maulvi Fasih-ud-din: Is the Government going to follow the recommendations of the Kharegat Committee that no school should be curtailed in connexion with this re-organization scheme?

The Hon'ble the Minister for Education: I am not aware that this is the recommendation of the Kharegat Committee.

Khan Bahadur Maulvi Fasih-ud-din: Is it a fact that the budget of the Allahabad Carpentry School is to be cut down to one-fourth of what it is now or that any such substantial reduction is anticipated?

The Hon'ble the Minister for Education: I shall want notice of this question, Sir.

Khan Bahadur Maulvi Fasih-ud-din: Is it a fact that that budget is at all to be curtailed?

The Hon'ble the Minister for Education: Sir, this particular question does not arise. I do not remember all the budgets. If the honourable member will give me notice, I will try to find out and answer it.

Khan Bahadur Maulvi Fasih-ud-din: Does the Government anticipate any economy in connexion with the Retrenchment Scheme of technical schools?

The Hon'ble the Minister for Education: I did not quite follow the question.

Khan Bahadur Maulvi Fasih-ud-din: Does the Government anticipate any retrenchment and any saving in connexion with the re-organization of the industrial schools of these provinces which are carrying on at present, or does it want to keep the whole budget as it is?

The Hon'ble the Minister for Education: If there is any school abolished, the saving will not be taken to the general revenues; it will be utilized in the Industries Department.

Khan Bahadur Maulvi Fasih-ud-din: In the industrial or in connexion with other schools?

The Hon'ble the Minister for Education: It may be in connexion with other schools or any other object.

Khan Bahadur Maulvi Fasih-ud-din : There is also a question here whether if the Government formally suggest a re-organization scheme, will they put up the whole thing before the Council before it is accepted by the Government ?

The Hon'ble the Minister for Education : No; the Government does not intend doing that because the matter has been talked over here several times and the Kharegat Committee was entirely representative of the Council ; it consisted entirely of Council members.

Khan Bahadur Maulvi Fasih-ud-din : What about individual schools which may be abolished or considerably curtailed ? Will the Hon'ble Minister of Industries give this Council a chance of having its say as regards the curtailment of the expenditure on particular schools ?

The Hon'ble the Minister for Education : The matter was discussed here at great length. As a result of that the Kharegat Committee was set up ; it consisted entirely of Council members. They have submitted their recommendations and the Government is considering them.

Khan Bahadur Maulvi Fasih-ud-din : But what about the individual schools ?

The Hon'ble the Minister for Education : I do not know what more we can do for individual schools. The report deals with all technical and industrial schools.

Khan Bahadur Saiyid Jafer Hosain : Has the Government come to some definite conclusion in respect of the closing down of any of these industrial schools ?

The Hon'ble the Minister for Education : Not yet definitely.

Khan Bahadur Maulvi Fasih-ud-din : When is it likely to do so ?

The Hon'ble the Minister for Education : I do not like to indulge in prophecies, but we are going into the matter.

*5—8. **Rai Sahib Rai Rajeshwari Prasad :** [*Postponed till 27-3-'36.*]

*9 and 10. **Rai Sahib Rai Rajeshwari Prasad :** [*Postponed.*]

ENROLMENT OF STUDENTS OF THE BENARES HINDU UNIVERSITY AS VOTERS OF DISTRICT BOARDS

*11. **Rai Govind Chandra** (*absent*): (a) Are the Government aware that students of Benares Hindu University eligible to be enrolled as voters of the district board applied for being so enrolled ?

(b) Will the Government be pleased to state the reasons for rejecting their applications ?

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf) : Yes, because the District Magistrate held that students who reside in a rural area only in connexion with their university studies cannot be said to be "ordinarily residing in the rural area" within the meaning of section 8(2)(e) of the District Boards Act.

DURATION OF THE UNITED PROVINCES ENCUMBERED ESTATES ACT

*12. **Rai Sahib Rai Rajeshwari Prasad :** (a) Is Government aware that the duration of the United Provinces Encumbered Estates Act expires on 29th April, 1936 ?

(b) Has Government considered the question of the extension of the said Act for a suitable length of time? If so, with what results? If not, why?

The Hon'ble the Finance Member (Mr. J. M. Clay) : (a) Yes.

(b) The question of extending the period for making applications under the Encumbered Estates Act is under consideration.

***13. Rai Sahib Rai Rajeshwari Prasad :** (a) Is Government aware that a large number of suits and applications for the reduction of interest under the Agriculturists' Relief Act are yet pending and cannot be decided till after the expiration of the Encumbered Estates Act?

(b) Is Government aware that in most of the cases mentioned in the foregoing question it will be impossible for the agriculturists to get the benefit of the Encumbered Estates Act?

The Hon'ble the Finance Member : The honourable member is referred to sub-section (3) of section 4 of the Encumbered Estates Act which lays down that if within three months of the date on which Chapter III of the Encumbered Estates Act came into force (i.e., up to 29th July, 1935) a landlord applied for amendment of a decree under the provisions of the United Provinces Agriculturists' Relief Act, the period from the date of application to the date of final disposal thereof shall be excluded from the period within which he can make an application under the Encumbered Estates Act. This provision of law was generally known, and agriculturists who took advantage of it will not suffer, if the period for making applications under the Encumbered Estates Act is not extended.

Rai Sahib Rai Rajeshwari Prasad : With regard to the latter half of the answer to question 13, may I know if the Government is aware that there was a good deal of misunderstanding in the public with regard to this particular provision?

The Hon'ble the Finance Member : There is always misunderstanding in the public mind on a good many legal points.

Khan Bahadur Maulvi Fasih-ud-din : Is it a fact that the Government owing to that misunderstanding had to issue a *communiqué* on this particular subject?

The Hon'ble the Finance Member : Yes, Sir.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware of the fact that a large number of special judges have fixed the dates of cases under the Agriculturists' Relief Act beyond April, 1936 and for that reason if they are decided after that date the debtors will not be in a position to take advantage of the provisions of the Encumbered Estates Act?

The Hon'ble the Finance Member : The Government is not in possession of that information at present. We have received no reports to that effect.

Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to make an inquiry into that matter?

The Hon'ble the Finance Member : Yes, Sir, I will make an inquiry and I will also ascertain what the legal result of the state of affairs described by my honourable friend is likely to be.

*14. **Rai Sahib Rai Rajeshwari Prasad :** (a) Has Government fixed any fees for the publication in the *Gazette* of notices under the Encumbered Estates Act?

(b) If so, what is the amount?

(c) What was the fee fixed by the Government?

(d) What was the practice obtaining in different courts before the fixation of the fee by Government?

(e) Will Government consider the advisability of fixing different fees for publication of notices in the *Gazette* in cases before the Special Judge of the 1st grade and before the Special Judge of the 2nd grade?

(f) Will Government consider the advisability of limiting the number of papers in which the notices are to be published under the Encumbered Estates Act to three including the *Government Gazette*?

The Hon'ble the Finance Member : (a) Yes.

(b) and (c) Rs. 30.

(d) Government have no information on the point. If the honourable member wants this information in respect of a particular court or district it will be collected.

(e) Government regret their inability to accede to the suggestion. The cost of printing such notices and the space occupied by them does not differ as between the notices published under the orders of the different classes of courts.

(f) As the matter is entirely within the discretion of the courts, Government regret that they cannot interfere.

Rai Sahib Rai Rajeshwari Prasad : With regard to part (e) of question no. 14, may I know if the Government will consider the advisability of inquiring from the districts whether the fee of publication is weighing heavily on the litigants?

The Hon'ble the Finance Member : I am doubtful whether an inquiry will produce much result. It is not usually the practice of the Government to make an inquiry on which they are unlikely to take action.

Khan Bahadur Maulvi Fasih-ud-din : Is the Government aware of the fact that many of the applicants had to withdraw their cases for their inability to pay the publication fee?

The Hon'ble the Finance Member : No, Sir. We have not received information to that effect.

Khan Bahadur Maulvi Fasih-ud-din : Will the Government be pleased to make an inquiry on that subject?

The Hon'ble the Finance Member : We are already making an inquiry on the whole question of the extension of the Encumbered Estates Act, and we shall probably hear something with reference to the point raised by my honourable friend at the same time. If not, I am prepared to ask a few selected districts.

SHORT NOTICE STARRED QUESTIONS

INTERVIEW OF CANDIDATES FOR SELECTION AS SUB-REGISTRARS

*1. Rai Rajeshwar Bali (*absent*): Are Government aware that the 27th and 28th March, 1936, have been fixed as dates for interview of candidates for selection as sub-registrars?

The Hon'ble the Minister for Local Self-Government: Yes.

*2. Rai Rajeshwar Bali (*absent*): Are Government also aware that some of the candidates who have to appear for selection are university students and the universities will have their examination on these dates?

The Hon'ble the Minister for Local Self-Government: Yes.

*3. Rai Rajeshwar Bali (*absent*): Will the Government consider the advisability of altering the dates so that they may suit the convenience of university examinees?

The Hon'ble the Minister for Local Self-Government: The meeting of the Selection Committee has been postponed till some date in the rains which will be announced later.

THE BUDGET, 1936-37: DISCUSSION OF DEMANDS FOR GRANTS—(continued)

GRANT NO. 22—IRRIGATION AND HYDRO-ELECTRIC WORKS OUTLAY NOT CHARGED TO REVENUE

The Hon'ble the Finance Member: I rise to communicate to the Council the recommendation of His Excellency the Governor that under the head of "Irrigation and hydro-electric works outlay not charged to revenue (55 and 55-A)" a sum of Rs.1,22,39,600 be granted and I move that the said sum be voted.

It is unnecessary for me to make any long introductory speech on this budget since the Council had the opportunity of discussing the hydro-electric programme, which is very largely responsible for the amount which the House is today asked to vote, about ten days ago. There are, however, a number of other items not connected with tube-wells and hydel to which I should like briefly to refer. I do this the more readily because I wish to dispel any idea that Government are at present interested solely in the development of the hydro-electric scheme and the tube-well programme. These are no doubt very important and productive works which, it is hoped, will do a great deal to increase the prosperity of parts of this province in the near future. But we must never forget that the hydel scheme is fundamentally dependent on the Ganges Canal for the main source of its electric power, and that, therefore, the hydro-electric programme is absolutely bound up with the welfare and continued good administration of the Ganges Canal. In addition to that we have the Jumna Canal and the Sarda Canal, which is still under development, to say nothing of the smaller but important protective works in Bundelkhand and Mirzapur. The large sum of 1,22½ lakhs represents an increase of nearly 41 lakhs over the amount provided under this head in the current year.

[The Hon'ble the Finance Member.]

The increase is very largely due to the decision recently taken to expedite the progress of the State tube-well scheme for which a sum of nearly 35 lakhs is included in this budget. I would also draw attention to the fact that work of an important nature is still in progress on the Ganges canal. The House will remember that last November they were asked to pass a supplementary estimate in connexion with an important project for remodelling the Mat Branch of this canal. The total cost of that project will amount to about 6½ lakhs, of which 3 lakhs is provided in the budget year. That project is expected to be extremely remunerative and it is hoped that the remodelling of this Branch will remove a present source of anxiety and even danger when full supplies are being passed down the Branch. I may mention too that part of the supply which we hope to utilize in the remodelled branch will be provided by hydro-electric co-operation higher up the Ganges canal.

Another item which is not so large but at the same time of great importance to the villagers which are affected by it, is that for the provision of certain drains along this Mat Branch. As I explained last November, certain villages are so badly water-logged by the seepage of water from the Mat Branch that large areas of what used to be cultivated land have become permanently submerged, thereby increasing fever and other diseases amongst the villages and also very largely contracting their cultivated area. It is hoped during the course of next year, by the construction of these drains, greatly to improve the condition of these villages.

I may also very briefly allude to the starting of the experimental scheme near Fyzabad for supplying electric power to Fyzabad and Ajodhya municipalities and for pumping water out of the Gogra into a small gravity canal, taking off at a place near the Gogra bank called Raunahi. This, although not a very expensive project, is one of great importance, as it is believed to be the first scheme of its kind, viz. the creation of what may be eventually a fairly large minor canal through the medium of electric power used for pumping water out of one of our larger rivers. A scheme of this kind would have been impossible a few years ago owing to the high cost of electric power, which is the method by which it is proposed to raise the water out of the Gogra river on to the high bank at a point from which it can flow by gravity through the adjacent tract. If this scheme proves a success and if it is found that the agriculturists are ready to take water at a fairly economic rate, this particular scheme is capable of being largely increased in area. In fact the original project, as submitted to Government, contemplated a cost of about 65 lakhs of rupees and the conveyance of water not only over a much greater part of the Fyzabad district, but also into the district of Sultanpur. I am sure too that honourable members will be interested to learn in connexion with the expansion of irrigation in the eastern districts that Sir William Stamps hopes to leave Lucknow tomorrow to pay a visit to Allahabad with a view to inquiring into the possibility of finding a site at which it will be possible to lift water out of the Ganges river in the Partabgarh District for irrigation purposes with a view to supplying, if there seems to be a reasonable prospect of success, a similar canal to irrigate parts of the Partabgarh district. The situation in this district during the last

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few years, owing to the fall in the water level in many of the local wells, has caused the Government a good deal of anxiety.

As to the Sarda canal, I spoke three days ago. I need only say here that the work of constructing minors and distributaries will continue so far as this is still required. The main problem on the Sarda at present is to expand the irrigated area and this is engaging the attention of Mr. Anderson and his staff.

So far as Bundelkhand is concerned, we had a discussion on some cuts three days ago; but I would like to assure the House that although no provision has been made in the Budget for the coming year for any protective work in that division, Government are fully aware of the importance of maintaining the protective measures now in existence in Bundelkhand at an effective level. We are fully aware that several of the large tanks, if I may call them so, which have been formed by placing weirs across the river-beds of Bundelkhand have silted up during the course of last ten or fifteen years, in some cases to an alarming extent, and that both on the Dhasan and Betwa rivers measures will have to be taken, as soon as the financial situation improves, for increasing the storage capacity of the tanks on those two rivers. There are two approved projects now before the Government, merely awaiting the provision of funds, one which was referred to two or three days ago, for the construction of a new weir—the Shahzad weir—on the Betwa, and another, even larger in size, which is to be constructed at a place called Khutgaon in an Indian State adjacent to the Jhansi Division, the object of which is to increase the supplies in the Dhasan canal. Both of these projects involve large capital expenditure and seeing that this expenditure is purely of a protective character and is not intended to yield any commercial return, Government feel that, at all events in the coming financial year, they cannot possibly provide funds for starting them. We very much hope, however, that in the course of the next two or three years the situation may so much improve as to enable a start to be made with both these schemes.

Then, Sir, with regard to the hydro-electric schemes themselves, I need add very little today. The amount provided for this purpose exceeds 64 lakhs and the details are fully given in the Budget literature. The main item of expenditure is the provision for the new steam generating station at Chandausi. About that I had a good deal to say on a previous occasion, which I will not repeat here. In connexion with that new steam station a number of new switching stations will be required and also several new feeder lines. These feeder lines, however, will be very much less expensive than would have been the case if the original scheme of hydel expansion had been adhered to and the whole power required for the grid had been taken from the falls on the Ganges canal.

There are in addition sums provided for ancillary purposes such as roads and inspection houses in tube-well areas and residences for Sub-divisional Officers, sub-station attendants and other staff. Now that the staff required for the administration of tube-wells and hydel

[The Hon'ble the Finance Member.]

has expanded so very largely and it is obvious that there will be a permanent demand both for the electric current and for the water produced by these tube-wells it is necessary that we should make permanent arrangements for housing the staff which will attend to them. This is more necessary since the vast majority of the staff employed are compelled to live in out-of-the-way places where it is impossible to either hire, borrow or in any other way obtain accommodation for them to live in. That is all, Sir, I need say in introducing the budget which I hope the Council will vote after making any cuts which they desire to do.

Thakur Keshava Chandra Singh: I beg to move that under Sub-head 55-A(1)—Productive Irrigation Works not charged to Revenue—Works, a reduction of Rs.10 be made.

My purpose for moving this cut is to elicit certain information as well as to discuss the policy underlying the execution of these works. We have been told that all the water which is gravitatively available from the rivers originating from the Himalayas is being used for irrigation and no more water is now available. We have been told, Sir, that the soil in the Himalayas is not suited for storing water and, therefore, it would be useless to place dams and weirs in the Himalayas across the rivers to increase the water-supply. The other method by which we could increase the water supply, for irrigation is afforestation in the Himalayas but I am afraid it will take centuries to make any appreciable increase in the water-supply by this matter. The only other method now left to increase the water-supply is by raising water by cheap power. Now, Sir, this method has been tried successfully in the western districts and out of the 10 falls in the Ganges Canal, power from 7 would be utilized by the end of the year 1938. I would like to know, Sir, whether the other three falls are suitable for generating power and if they are, what is the approximate capacity of these falls. In addition to this, Sir, I would like to know whether power can be generated from the Sarda Canal falls or not.

Sir, comparing the canal system in the West, the canal system in Bundelkhand is very inadequate. The soil in Bundelkhand is fertile and we can grow all the profitable and principal crops which are grown in other parts of the province. In fact, given sufficient water, Bundelkhand can become as rich and as fertile as the northern plains north of Ganges. Unfortunately, the rivers in Bundelkhand are not snow-fed and therefore there is very little water in the Bundelkhand rivers during the dry season. Fortunately the soil in Bundelkhand as well as in Central India is suitable for storing water. The number of large tanks situated in Bundelkhand are a positive proof of this fact. Now if all the water of the rivers in Bundelkhand be conserved, it will be sufficient not only to irrigate the whole of Bundelkhand, but would be sufficient to irrigate an area ten times as large as Bundelkhand. My chief purpose in moving this cut is to bring to the notice of the Government the need for utilizing the water of the rivers in Bundelkhand not only for the benefit of Bundelkhand but also for the benefit of the whole of the province. I will perhaps be told that the irrigation works in Bundelkhand are not productive; they are only protective. But I think they are protective and not

productive because the bye-product has been allowed to go to waste but if the future irrigation works are constructed with the idea of utilizing this bye-product the works may become productive. If they were to become productive I am sure the Government would have greater regard for Bundelkhand. I will only cite a few instances by which this can be done. The river Tons and its tributaries are not utilized either for irrigation or for generating power up till now. Ghogra, a tributary of the river Tons, takes a leap of 375 feet at Chichai. Another tributary of the river Tons has a fall of 275 feet at Kaoti at a distance of a few miles from Chichai. The river Tons itself falls a distance of 220 feet at a place near Chichai. If the power of this river and its tributaries were utilized it would generate something like 50,000 horse-power. This can be done by storing the water of this river and its tributaries at suitable places above the falls. The water which would be available could be utilized to irrigate the dry portion of western Mirzapur, southern Allahabad, eastern Banda and northern Rewa. This place Chichai is only 60 miles south of Allahabad. If a circle be drawn with a radius of about 150 miles with Chichai as centre, the big cities of Cawnpore, Lucknow, Fyzabad, and places like Azamgarh, Gaazipur would be found to lie in its circumference, whereas Mirzapur, Benares, Jaunpur, Partabgarh, Rae Bareilly, Sultanpur and Fatehpur would be much nearer. In the instance which I have just cited power would be the chief product and the water obtained would simply be the bye-product. I had occasion to see these falls last summer and I was told that the Rewah Darbar would very much welcome co-operation with the United Provinces Government for utilizing these rivers for mutual benefits. I will not be surprised if somebody on behalf of the Rewah Darbar is already in correspondence with Sir William Stampe about this matter. Now, Sir, in the same way if the river Ken be dammed at several places, we will have a sufficient supply of water in the Ken canal for the Banda district. At present sugarcane and other profitable crops in Banda have not made much headway because sufficient water is not supplied continuously all the year round. By dams and weirs across this river at suitable places we can have as much as 20,000 horse-power at Gangoo dam. This place is only 100 miles off from the industrial city of Cawnpore. Of course the rural area of Cawnpore and Fatehpur is much nearer and the four districts of Bundelkhand are still nearer and if this were effected, I hope this protective work might become a productive one. I have been informed that there was a scheme for damming the river Paisani in the district of Banda for building a canal. In this river Paisani also we have a fall of 100 feet near village Itwan in Banda district and there are other falls of 20—25 feet which may be obtained by damming the river at different places. No doubt the river is small and the catchment area is also small, but then the cost for throwing weirs and dams would also be small. In this budget, Sir, we are providing a large amount of money for generating electricity by steam power near Fyzabad. After a year or so we will be able to know the cost of electricity so generated and we will be able to compare it with the cost of electricity produced in the Ganges Canal hydel grid. I would suggest to the Government in the meantime

[Thakur Keshava Chandra Singh.]

to make a survey and to prepare estimates to find out as to what would be the cost of electricity if it is produced in the rivers in Bundelkhand. The Government may get estimates prepared only of one or two of the most favourable and suitable places. If the cost of electricity produced in these rivers is equal to, or even if it be a little more than, the cost of electricity produced by steam power at Fyzabad, I would request the Government to supply the eastern and southern portions of our provinces with electricity produced in these rivers for the simple reason that the indirect benefit accruing to Bundelkhand as well as to the province would be very large. If by means of this scheme protective works in Bundelkhand and Mirzapur can be changed into productive schemes, that itself would be a great gain to the finances of these provinces. What I have said about the rivers Tons and Ken also applies to the rivers Chambal, Betwa, Dhasan, as well as to the river Sone. Sir, the use of electricity is increasing and it is bound to increase as time passes. The agriculture of these provinces is being developed and very soon we shall feel the necessity of artificial fertilizers for which we will require big electric plants. Therefore, there is not the least doubt that there would be sufficient market both ready and potential for big works suggested by me. The other point, which I would like to refer here is about the silting of tanks. The Hon'ble Finance Member said in his speech that one of the tanks in Dhasan river is being silted up. Not only is this tank being silted up: my experience is that within the last few decades most of the artificial tanks in Bundelkhand have been appreciably silted up and the quantity of water which used to be available before is not now so available. May I know, Sir, what device Government proposes to adopt in future so that these tanks may not be silted up? May I also know what was the device adopted when the Dhasan canal was built originally? Generally in order to stop silting some gates in the weir are placed at the bottom of the embankment and they are opened occasionally during the year so that the water flowing from these bottom-most gates may wash away the silt. There is one more point, Sir, which I would like to refer to under this cut motion, and it is about the trial of tube-well boring in certain districts for which a sum of Rs.1,21,000 is provided in this budget. I wish to know, Sir, the districts in which trial borings have been already made and which districts have been found suitable and which unsuitable for tube-wells. I would also like to know the districts in which trial borings are proposed to be started in the coming year. It is absolutely necessary, that a geological survey of the whole province concerning these tube-wells should be prepared as soon as possible. Has Government a definite scheme and programme about it. In my own district Banda tube-wells have failed, but I would like to know, Sir, whether there are any devices by which tube-wells can be made a success in the districts in which they have now failed. In Banda District after boring something like 300 feet the borer meets with hard rock which his tools cannot cut through. Is it possible by using harder tools to cut through this rock? It is possible there might be water underneath these rocks.

With these few observations I would commend my motion to the acceptance of the House.

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Sir William Stampe: Sir, the honourable member for Banda has raised some interesting points regarding both the hydro-electric and the irrigation facilities for his own and the surrounding districts. As regards the irrigation aspect of the question I would prefer to leave answers to my honourable friend the Chief Engineer of the Sarda Canal who is more capable to deal with it. As regards the hydro-electric question, the honourable member asked first of all as to what scope there still was for the extension of power development on the Ganges Canal. There are three falls left to be dealt with—one at Muharpur with 4,000 K. W.; one at Ranipur with 5,000 K. W., and one at Pathri with 3,000 K. W.; that is a total of 10,000 K. W., remaining for development in the next scheme. As the Hon'ble the Finance Member explained in November last it is not proposed to develop these falls until a definite need is proved to exist by the exhaustion of the power already available. He next raised certain questions in regard to the development of power from the rivers of Bundelkhand and Rewa State, that is the Tons and some smaller rivers. The difficulty about developing power in Bundelkhand is that owing to the nature of the soil the rain water runs off very quickly in the monsoons and the flow in the rivers diminishes rapidly to very little in March and April, and practically nothing in May and June. For irrigation it is possible to conserve that water by the construction of embankments and dams, but water required for hydro-electric purposes has to run all the year round, with the result that the size of the reservoir required to develop electricity will be so great that the construction cost would render the cost of power per unit prohibitive. However, we are grateful to the honourable member for his suggestion and we will re-examine the question of utilizing water at the falls he mentions. I may say that we have already investigated the question of developing power in the Rewa State and taking it to Cawnpore, Allahabad and even Fyzabad. But although the cost of generation on the spot is cheap compared with either Ganges power or steam electricity power, the cost of transmission from the Banda district from Rewa State into either Cawnpore or Fyzabad amounts to three times the cost of generation. Thus when the power reaches Cawnpore, it is about 50 per cent. more expensive than the cost of power from the Cawnpore Supply Corporation. It will thus be cheaper to buy steam power in Cawnpore than to take water power from Bundelkhand to Cawnpore. That is due to the great distance of transmission and the fact that these large storage reservoirs have to be constructed in the Rewa hills.

The honourable member then raised the question of using hydro-electric and the other power for the production of fertilizers. I would inform him that we have already approached certain chemical manufacturers. We have offered power from certain undeveloped falls on our Ganges Canal at very very cheap rates, i.e. 3 pies per unit, but they would not look at it. They say that, unless they get it at 2 pies it would not pay. It is cheaper to get the chemicals from England than to produce them here. When industrialists' talk like that it seems difficult for us to devise means to produce fertilizers in India. Owing to the enormous mass-production in Europe it is cheaper to

[Sir William Stampe.]

produce fertilizers there and to ship them from one continent to another than to produce smaller quantities in India. So there is very little hope of our doing any business in that line.

As regards the question of trial borings in various districts, some of which the honourable member alluded to in Aligarh, Etah and Farrukhabad, borings in Aligarh and Etah, are already in progress, and we propose to start boring in Farrukhabad and Cawnpore as soon the staff is available. The honourable member will realize that our staff is at present spread over several districts and we have only a very limited number of officers who are suitable for this work. As soon as they can be spared, they will be moved on to other districts. I am afraid I cannot hold out any hope that water from tube-wells will ever be available in Bundelkhand. There is not only no suitable sand there, but it is all rock, and there is no question of successful tube-wells in a place where there is less than 80 feet of sand. It may be possible to tap fissures in the rock, and if the honourable member has a divining wand and will stand over the rock and tell us where the water is we will be prepared to bore there. But the cost will be simply prohibitive. So there is no hope of boring tube-wells there. As regards a survey of the whole province, I would inform the honourable member that six district surveys have been completed. As staff becomes available the survey will be extended. The tube-well scheme will be completed by the end of next year and when the survey staff is available we will see what the possibilities of extension are in eastern districts.

Mr. F. Anderson : My friend, the honourable member for Banda, has raised certain interesting questions regarding water supplies in Bundelkhand. I have been in Bundelkhand for a number of years, and I shall explain as briefly as possible the general conditions there. Early kharif in Bundelkhand is very limited because irrigation is not assured, and also because so much damage is done by cattle. Late kharif is confined to paddy on the Ken canal, the Betwa canal and Dhasan canal. There is no late kharif irrigation on these systems except in famine years. Mirzapur, on the other hand, is a very large paddy district and the Garai canal system does extremely good paddy irrigation. A very dangerous situation arose last September owing to failure of the rains and we anticipated that we would not be able to mature the rabi. However, we were fortunate to receive general rain of $1\frac{1}{2}$ inches at the end of September, and the rabi harvest this year is fully 16 annas. At the present moment we have about two thousand million cubic feet of water in the Betwa reservoirs; this will just suffice to fill tanks and do a few thousand acres of sugarcane. On the Dhasan river the storage available is only 1,100 million cubic feet which will be required for filling various tanks; water will not be available for sugarcane. The Ken canal has got over 2,000 million cubic feet of storage left; this will be more than ample for filling tanks and doing small areas of sugarcane. In Mirzapur the supply is adequate and the usual large area of sugarcane on the Garai system will be assured. As regards additional storage, one project has been prepared for the Betwa and a second for the Dhasan canal. Both schemes are necessary, but I strongly recommend that the Dhasan canal should be taken up first, because the available storage has been reduced by 50 per cent. during

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the past 20 years whereas during the same period the reduction in storage on the Betwa is about 22 per cent. The Hon'ble the Finance Member has explained Government policy regarding the construction of additional canal works in Bundelkhand and I need not refer to that. As regards Mirzapur, supplies for the Mirzapur canals are adequate. The Ghagar canal was constructed by 1916 and it is a failure. The tract is sparsely populated and year after year the population is decreasing. The Garai scheme which is a subsidiary scheme to the Ghagar canal, has done very well. The area irrigated annually is about 80 per cent. of the commanded area, as against about 22 per cent. throughout the rest of Bundelkhand. The prospects are definitely good and in the next year's budget a substantial sum has been provided for extending irrigation in that area.

To sum up, the storage available in Bundelkhand on all the projects is sufficient for rabi only and adequate storage is not available for early kharif. Paddy irrigation in September and October gives no difficulty whatsoever because the river supply during September and October is generally adequate to meet all requirements.

With regard to the Paisni scheme which was mentioned by my honourable friend it was surveyed about 1908-1909. The supplies in this river during the monsoon are very low. The main objection to this scheme is that land in one of the small states in Bundelkhand would be submerged and considerable opposition was raised by that State. Secondly it cannot possibly pay the working expenses as the population in that tract is negligible. The scheme was revised again about 1931-32 and reconsidered but again dropped because there are more promising schemes in Bundelkhand which are pending at the present moment for lack of funds.

As regards new devices for non-silting of reservoirs, the scheme which has been recently prepared for a reservoir on the Dhasan canal is a device which we hope will be very useful as the silting of the present reservoirs is proceeding at a rapid rate of about 65 million cubic feet a year. We consider that the life of the new reservoir will be anything from 80 to 100 years as against 40 years, the life of the present reservoirs.

Khan Bahadur Maulvi Fasih-ud-din : About 18 or 20 years ago I had made the assessment of the Derapur tahsil of the Cawnpore district and the soil of that tahsil resembled entirely with the black cotton soil of Bundelkhand and for that reason I can claim some experience of the condition of affairs in Bundelkhand. Bundelkhand is one of the most undeveloped parts of these provinces. The soil of Bundelkhand is extremely bad; it is called Kahar parwa and mar and there are absolutely no means of irrigation there. Sir William Stampe just remarked and rightly so that it is impossible to dig any tube-wells in the Bundelkhand soil on account of the fact that the inner layer consists of rocks. Then there are no big rivers in Bundelkhand and the question of making tanks for irrigation purposes is therefore beset with so many difficulties. Sir William Stampe has gives us rather a very gloomy picture of the future development of

[Khan Bahadur Maulvi Fasih-ud-din.]

Bundelkhand and I think it is up to the Government to give us some plan about improving the irrigation conditions in that unfortunate tract of the country. It is for this reason that we find that the incidence of rent in Bundelkhand is only about Rs.3 per acre against an incidence of about 10 or 12 rupees per acre in the Meerut division. The population in Bundelkhand is large enough and I think from the humanitarian point of view the Government should bring out some sort of scheme for increasing the number of irrigation tanks or for constructing some canal either a branch of the Ganges canal or a branch of the Sarda canal—and unless this is done I think Bundelkhand will continue to be in the same pitiable condition as it happens to be now. Mr. Anderson has of course given a good account of the work that he has done in Bundelkhand in connexion with the Sarda canal irrigation, but he has admitted that for want of funds he could not do more. This is a very important question. I think that much more money should be allotted for the development of irrigation conditions in Bundelkhand than what has been done in the present budget. I need not go into further details which have been so ably dealt with by my friend from Banda.

Thakur Keshava Chandra Singh : I am thankful to Sir William Stampe for giving me the assurance that the scheme at Chichai will be examined afresh and the cost of power worked out. One advantage which we will get by generating electricity there would be that the places round about Bundelkhand as well as near Mirzapur and Allahabad would be benefited, which is not possible at present with the electricity generated by steam near Fyzabad. As regards irrigation facilities in Bundelkhand Mr. Anderson has admitted that water is not sufficient for the early kharif. It is only sufficient for the rabi, and therefore it is clear that sugarcane cannot be grown there. For sugarcane we require water in April, May and June which is at present not available. I am thankful to Khan Bahadur Maulvi Fasih-ud-din for bringing the sad plight of the agriculturists in Bundelkhand to the notice of this honourable House. What we are suffering from in Bundelkhand is over drainage. The water there, as I said in my opening speech, is sufficient to irrigate ten times the area at present under cultivation but all this is drained away in the rainy season. The black soil there is gradually being washed away on account of the beds of the rivers there being very deep. In fact the proverbially rich soil, called Mar land, is to be found between the two rivers. You will not find this soil near the banks of the river, but far away from them and the conclusion is that it has been washed away. Unfortunately the bed of the Jumna river has gone down appreciably during the last two centuries with the result that the beds of the Bundelkhand rivers have also gone down, and the land on the banks of these rivers has become very very poor. I would like to bring only one point, which I failed to bring to the notice of this House in my opening speech, and it is this. In view of the poor facilities for irrigation and further in view of the unsuitability of the sub-soil for tube-wells Government should spend a larger amount in giving takavi loans for making bandhis, because only by this method can cultivation in Bundelkhand improve. With these few words I withdraw my motion.

The motion was, by leave, withdrawn.

NOT CHARGED TO REVENUE

Rao Bahadur Thakur Pratap Bhan Singh:

— راؤ بہادر تھاکر پرتاب بھان سنگھ

Sir, I beg to move that under sub-head 55—A(1) Productive works, a reduction of Re.1 be made.

جناب والا - اس کٹ کے رکھنے سے میرا مطلب یہ ہے کہ State tube-well

ہائڈرو الیکٹرک scheme ضلع علیگڑھ میں جاری کی جاوے اترولی میں جاری کی گئی ہے مگر وہاں پر پورے طور سے کامیابی نہیں ہوئی اس کی دوبارہ کوشش کی جاوے کہ کامیاب ہو اس کے علاوہ جو لائن اُس رقبہ سے پاس ہوتی ہے کہ جہاں پر آبپاشی نہیں ہے اُس رقبہ میں State tube-well اسکیم کو جاری کیا جاوے اور جن مقامات پر لوگ مختلف طور پر current چاہتے ہیں وہاں پر گارنٹی کو قطعی ہٹا دیا جاوے یا ہرے نام رکھا جاوے

میں اُمید کرتا ہوں کہ سکندرہ راؤ میں جن جن مواضعات کے well scheme State tube لانے کے لیئے پہلی مرتبہ میں نے بذریعہ درخواست جناب چیف انجینئر صاحب کے ظاہر کیا ہے اُسی circle میں پہلی مرتبہ experiments کیا جاوے

Rao Sahib Thakur Shiva Dhyani Singh :

— راؤ صاحب تھاکر شیونہیان سنگھ

جناب پریسیدنٹ صاحب - میں راؤ بہادر تھاکر پرتاب بھان سنگھ کی کٹ موشن کی تائید کرتے ہوئے یہ عرض کروں گا کہ علیگڑھ ضلع میں جو ہائڈرو الیکٹرک لائن ہے اُس لائن پر اگر لوگ اپنے پرائیویٹ tube-wells لینا چاہیں تو اُنکو دئے جائیں اور گورنمنٹ اپنے اسٹیٹ ٹیوب ویلس اس میں بنا کر اُن کاشتکاروں کی امداد کرے جو غریب اپنے tube-wells نہیں بنا سکتے hydro-electric scheme سے جو کچھ فائدہ زمینداروں نے اپنے اپنے capital کو invest کر کے حاصل کیا ہے اُسی طرح آزادانہ اور بڑی دریا دلی کے ساتھ اُن غریب کاشتکاروں کو بھی ملنا چاہیئے جو اپنے tube-wells نہیں بنا سکتے - یہاں تک کہ جو آبپاشی کی security ہے وہ اتنی زیادہ ہے کہ ایک معمولی agriculturist نہیں اُٹھا سکتا - اگر اُس کی rate میں کچھ کمی ہو جاوے تو اُمید ہے کہ عام طور پر ہائڈرو الیکٹرک سسٹم پھیل سکتی ہے لہذا میں یہ بات بھی پیش کرنا چاہتا ہوں کہ تحصیل سکندرہ راؤ اور تحصیل کھیر اور تحصیل اگلاس کو کول وغیرہ جہاں ہوکر ہائڈرو الیکٹرک کی لائن موجود ہے کٹ اپنے state tube-wells بنا کر experiment کرے

کو فائدہ ہو - لہذا میں اس کی تائید کرتا ہوں

Sir William Stampe: Sir, in reply to the questions about tube-well facilities in the Aligarh District. So far the tube-well strainers which we have sunk in the Atranli Tahsil of Aligarh and also further west have not been successful and, as I explained personally to the honourable members, we are experimenting with a new type of cavity well. If that succeeds, the original scheme for irrigating parts of Aligarh District by electric wells will be adhered to.

Rao Bahadur Thakur Pratap Bhan Singh : May I know where the cavity well is laid up in the tahsil of Sikandra Rao?

Sir William Stampe : The actual site now being bored is close to Kasganj which is across the border near the place called Marehra on the road between Sikandra Rao and Kasganj. But when the boring party finished will move to the vicinity of Sikandra Rao next month. The actual borings have not yet been started near Sikandra Rao. They will be started next month.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : Sir, I beg to move that under the entire head a reduction of Re.1 be made.

Sir, my object in moving this cut is to ask a few questions from the Chief Engineer and also to draw his attention to certain matters in connexion with the State tube-wells. The first point that I would like to know is whether they have provided lining of guls in the State tube-wells which were completed last year or which have been completed this year in the district of Moradabad. Then I should like to know whether they have started pucca lining of guls in the wells of bbur tracts of the district of Moradabad. I had on a previous occasion, to draw the attention of Sir William Stampe to the fact that it is very necessary to line the guls of those tube-wells which are located in the bbur tracts and give priority over those tube-wells which are in the kather or dumat tracts, because of the great loss of water in percolation in the bbur tracts. I find that in this budget there is no provision for the lining of guls as was the case last year. A sum of Rs.28,000 was provided in the year which is now coming to a close, whereas no money has been provided this year. I concluded from this that they are not going to progress with the lining of guls in the next budget year.

The other point is about the works in progress which are to be found on page 151 of the detailed estimates. I refer to "Hydro-electric schemes (a) Works in progress"—item no. 7. It is shown that a new line is going to be built from Bahjoi to Sambhal 37 K. V. line. May I know if this line is going to be completed in the budget year or whether it will take some more time to complete it. The point for consideration in this connexion is whether it would not be feasible to carry this line when approaching Sambhal from the eastern side of the town. My object in bringing this point to the notice of the Chief Engineer is that if the line is taken along the eastern side of Sambhal and connected with Sambhal, then in that case it will be possible for certain big sarais or qasbas, which are situated about a mile or two east of Sambhal and which are in rural areas, to derive benefit of this scheme, in the sense that they would take power for industrial and lighting purposes.

The third point is about the inspection houses. There was some correspondence between the District Board of Moradabad and the Hydro-electric Department about the acquisition of certain inspection houses belonging to the District Board and negotiations were going on. The District Board was willing to part with a certain number of inspection houses on suitable terms. May I know what has happened to that negotiation and whether those inspection houses have been finally taken over and purchased by the Hydro-electric Department?

The fourth point is about tube-wells not being sunk in those areas which are highly suitable and where tube-wells are very necessary. If the honourable the Chief Engineer likes I am prepared to furnish names of those places where they are urgently required. Most of them are in

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blair tracts and on account of the precarious nature of the soil there, it is necessary to sink tube-wells there.

Rai Govind Chandra : Can I speak generally on this head?

The Hon'ble the President : Yes.

Rai Govind Chandra : Sir, on hearing the speeches made on this particular item certain doubts have crept into my mind and I feel that in all fairness Government should explain them. For instance, may I know if the petty cultivator is not going to be weeded out because of these schemes? Will it be possible for him to pay the additional cost of raising water from sub-soil? I would also like to know if the expenses of this scheme will be in proportion to the increase in production of the cultivator. I ask this question, Sir, because the paying capacity of a cultivator is rather limited. May I also know if he would be able to pay the increased cost of irrigation of his fields from the produce that he will be able to raise?

In this connection I would also like to get information on another point, viz. what is the number of men employed under this scheme in the department who belong to United Provinces? In the Sapru Committee Report it has been mentioned that an extension of scheme will absorb quite a large number of educated young men of these provinces, but as far as I understand a number of people from the Punjab have been taken and the people of the United Provinces have had no chance of getting jobs under this scheme. May I know from the Government as to how many people of these provinces have been engaged under this scheme and are going to be engaged when the proposed extension is effected?

These are a few questions which should be answered by the Irrigation Department, in order to satisfy the doubts that have crept in my mind during the discussion on this head.

Pandit Prem Ballabh Belwal : Sir, I would also like to make certain inquiries under this item. I want to inquire from the Chief Engineer whether there is any scheme for constructing tube-wells on the northern half of the district of Moradabad. So far I find that the whole scheme has been confined to the southern half, I mean that the north of the Ram Ganga river has been altogether neglected and there has been no activity in tahsil Thakurdwara worth the name. I would like to suggest that if the Government could see their way of extending the tube-well scheme in the tahsil of Thakurdwara from where it can be taken to Kasnipur in the district of Naini Tal. I find that there have been a number of private tube-wells which are working quite satisfactorily and I do not think that there is any danger about the failure of the scheme in that part of the country. In Kashipur tahsil there are some wells which are giving water above ground without any use of power. The force of water is such that it comes up itself and so I think that is a very suitable place for sinking these tube-wells. Sir, the tahsil of Kashipur has gone out of cultivation due to lack of irrigation facilities and pure drinking water and it will be a great boon to the public both from the health point of view and from the agri-

[Pandit Prem Ballabh Belwal.]

culturists' point of view if this scheme is started there. There is a very big power station under construction in Chandausi which is not very far from that place. I believe the power will be available to work these tube-wells and moreover there is another river Kosi which runs nearby and if necessary hydro-electric can be generated somewhere near Ramnagar where the river runs at a great speed. I therefore bring these points to the notice of Government for consideration.

Khan Bahadur Maulvi Fasih-ud-din : Just one point which I wish to touch. We all know that much of the work in connexion with the extension of hydro-electric scheme is being done this year in Budaun District—thanks to the effort of Sir William Stampe—but then there is one difficulty. The headquarters of the Superintending Engineer in charge of this scheme are located at Moradabad and for that reason he is somewhat unapproachable to the residents of the district of Budaun. I want to know the reason why his headquarters are not located in Budaun itself.

Sir William Stampe : Sir, in reply to my honourable friend Khan Bahadur Saiyid Jafer Hosain I would inform him that the lining of 60 miles of guls in the Moradabad District have either been completed or are under completion. As regards the question of sinking tube-wells and lining the guls in bhur tracts we have also made about 40 wells in bhur tracts. We started them with some trepidation because we were not sure that the cultivators in such tracts would take the water but we are now certain that people cultivating bhur appreciate the water even much more than those in the more fortunate tracts. I agree with the honourable member that the guls of bhur tracts should be lined but there were certain difficulties which I should like to explain. Unless the earth of the gul has become consolidated by at least one year's use we find in practice that the masonry lining collapses over hollows in the earth. We have already made and lost some such linings. We had to dismantle them because the earth had not been consolidated by running water. I would assure the honourable member and other honourable members who are interested, that this whole question of gul lining is receiving our serious attention and that we have provided sufficient funds in the budget. This House actually passed in June last a project to cover the cost of lining all the guls both in bhur and non-bhur tracts throughout the whole scheme. The rate of progress depends firstly on consolidation and secondly on the burning of bricks. The House, I think, will realize that this involves the use of many millions of bricks, and until we can get contractors to burn bricks on the spot it will be extremely expensive to cart bricks from outlying places for the purpose. These are the two factors which are limiting the rate at which we can line the guls.

As regards the provision of funds, the item is not shown separately in the budget, but is included in the total amount budgeted for tube-wells. It is shown in the first part of the Explanatory Memorandum. If the honourable member will refer to it he will find the item there. I can assure him that provision exists for lining several hundred miles of guls in the coming year.

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The honourable member next referred to the extension of the 57,000 volt line from Bahjpi to Sambhal. He asked whether that line could be taken into Sambhal. I would inform him that the line has already been laid and is now carrying the power to tube-wells. We cannot divert it, but we can construct other small lines from it, as has been done elsewhere, and take the power to the villages as the honourable member wishes if it is shown that a demand exists for those branch lines.

As regards the tube-well inspection houses, at the outset of the scheme we approached the district board and asked if they would sell us 8 or 12 inspection houses in the Moradabad District. On examination we found that only two bungalows, one at Hasanpur and one at Amroha, were actually fit for permanent use as inspection houses without expensive repairs and so we are negotiating to buy these two and to build eight others ourselves. It costs more to convert the other district board bungalows into inspection quarters than to build new ones.

As regards the provision of tube-wells in the remaining area we have allowed 40 tube-wells in our estimate for filling in the blanks in the map of the Moradabad District and if the honourable member will send us his valuable suggestions as to where they should be sited we shall be very glad to consider them when we fit in the remaining wells at the end of this year.

The honourable member for Benares asked whether petty cultivators can afford to pay the cost of water from tube-wells. The answer to that, Sir, is that the water from tube-wells, volume for volume, costs less than the water drawn by bullocks from open wells, that is, when you take into account the amount of water put on the ground. The fact that the small cultivator can afford to use tube-wells is shown by the fact that in the Meerut and Moradabad Districts most of the old wells have been abandoned willingly in the tube-well areas and in their place tube-wells have been adopted as the means of irrigation. I think this is sufficient to show that cultivators came forward to take water of their own accord because it was cheaper.

As regards the question of employment, I will refer the honourable member to the publication that we issued on the 16th of March of which I think all honourable members have a copy, which shows the number of officers and subordinates engaged on the hydro-electric and tube-well schemes. I cannot at the moment give the actual number of United Provinces residents of all ranks, but I would inform the honourable member that out of 32 officers on the hydro-electric scheme 5 are non-Asiatic, 16 are residents of the United Provinces and 11 come from outside the province. The only reason for employing 11 men from outside the United Provinces was that we could not find a sufficient number of qualified local residents to fill up all the posts. But many of these are temporary posts and as a sufficient number of qualified candidates from United Provinces become available after training we shall endeavour to secure their services for filling up more of the permanent pos.s. I think the House appreciates that fact that in the United Provinces it is extremely

[Sir William Stampe.]

difficult for engineer students to obtain practical training. There are very few mills in the Provinces. In the Punjab there are far more mills and workshops than is the case here, with the result that more men are trained and therefore, more applicants come from the Punjab than from the United Provinces. But we have arranged, Sir, that several of the firms who supply plant for the hydro-electric and tube-well schemes shall be put under the obligation of training United Provinces engineers. Several firms are now training United Provinces engineers with a view to qualifying them for service in the hydro-electric and tube-well schemes. This is a matter to which I have personally given very serious attention and I assure the House that the fullest possible opportunities will be given to United Provinces engineers to get the training, which is essential to fit them to hold these important posts.

As regards the question of the honourable member for Naini Tal, he asked me whether we can extend the tube-well system in Moradabad into the northern half of that district. We have had some preliminary surveys for doing so. Our information at the moment is that the rainfall at Thakurdwara Tahsil is so great and the local spring level so high that the demand from the tube-wells would not warrant the expenditure of capital on them and until we can be sure that the water would be sold, I think it would be a mistake to waste provincial funds in providing facilities which Nature has already furnished. But I think we can safely sink two or three tube-wells to test the demand. We cannot say anything more than this at the moment.

As regards Khan Bahadur Fasih-ud din's question, I would inform him that the Superintending Engineer, Eastern Circle, has to look after four districts, namely Fyzabad, Budaun, Moradabad and Bijnur and the reason why we fixed his head-quarters at Moradabad is that it is in the centre of that area. But as soon as the work in Bijnur and Moradabad Districts is completed, he will naturally move his touring headquarters either to Bareilly or Budaun.

Khan Bahadur Saiyid Jafer Hosain: Sir, I am very thankful to the Chief Engineer for the reply that he has given. I am further thankful to him for the assurance that a sufficient amount of money has been provided in the budget, which has not been shown separately but which is really incorporated in the total sum, under the tube-wells for lining the guls. As regards the sinking of tube-wells in the Thakurdwara Tahsil in the district of Moradabad, I am glad that the Chief Engineer is going to get a few tube-wells sunk in order to test whether they are going to prove to be a success or not. Then as regards the tube-wells in the bhur tracts, there are certain areas in tahsil Hasaupur which are bhur tracts and which badly need irrigation from tube-wells, and I would certainly give the Chief Engineer the names of the few places where in my opinion there is a necessity for sinking tube-wells. We all know the energy and the zeal with which the Chief Engineer is conducting these operations and we are all thankful to him and to the Hon'ble the Finance Member for lending his support and for giving financial assistance to this project which is nearing completion as far as the district of Moradabad is concerned, and I hope that with the increased facilities for irrigation more crops will be produced which would bring more revenue to the

offers of Government and it will also prove to be a great boon to the agriculturist. With these words, Sir, I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Mr Muhammad Rahmat Khan:

مسٹر محمد رحمت خان —

Sir,

I beg to move that under the entire head, a reduction of Re. 1 be made.

جناب صدر مجھے اس کٹ پر یہ عرض کرنا ہی کہ ضلع بلندشہر میں جو ٹیوب ویلس لگائے گئے ہیں اور ان کی وجہ سے جو آراضیات غریب کاشتکاران کی اور زمینداران کی لی گئی ہیں ان کا کوئی معاوضہ اب تک ان کو نہیں دیا گیا ہے علاوہ اس کے جو سڑکیں اور نالیاں ان ٹیوب ویلس کی وجہ سے بنائی گئی ہیں اُس کا بھی کوئی معاوضہ نہیں دیا گیا ہے بعض جگہ ایسا کیا گیا ہے کہ یہ نالیاں اور سڑکیں بعض غریب کاشتکاران کے کھیت کے بالکل درمیان میں ہو کر نکالی گئی ہیں جس سے ان کے کھیت کے دو حصہ ہو گئے ہیں ایک طرف تو کنواں ہے اور دوسری طرف کھیت ہے اور اُس میں وہ پانی دینا چاہتا ہے مگر پانی دینے کا کوئی راستہ نہیں ہے سوائے اس سبیل کے کہ وہ حاکم متعلقہ کے یہاں پہ درخواست دے کہ پانی لے جانے کا راستہ بنایا جاوے تو جس وقت تک اس درخواست کا کوئی نتیجہ برآمد ہو اُس غریب کی محنت پر پانی پھر جاتا ہے یعنی اُس کی لہلہاتی ہوئی کمیٹی ہر وقت پانی نہ پہونچنے کے باعث خشک ہو جاتی ہے اور کوئی شغرائی نہیں ہوتی ہے جس کی وجہ سے اُس کی فصل کو بہت نقصان پہونچتا ہے اور حکام متعلقہ کی اس سستی اور لاپرواہی سے کاشتکاران اور زمینداران سخت پریشان ہوتے ہیں تیسرے جہاں سڑکیں اور نالیاں بنائی گئی ہیں وہاں فصلیں کھڑی ہوئی تھیں وہ کٹ دی گئیں اور ان کا بھی کوئی معاوضہ اس وقت تک نہیں دیا گیا ہے قریب ۷-۸ ماہ کا عرصہ گذرا کہ میں نے ان کے متعلق چند سوالات کیئے تھے جس کے جواب میں کہا گیا تھا کہ معاوضہ جلد دیا جاوے گا لیکن اُس پر کوئی عملدرآمد نہیں کیا گیا ہے چوتھے پانی کا ریت اس قدر زیادہ ہے کہ بیچارے کاشتکار اسے نہیں کر سکتے لہذا اُس کو بھی کم کیا جاوے تاکہ کاشتکار پانی آسانی سے لے سکیں اور ٹیوب ویلس عام طور پر رواج پا جاویں *

Rai Bahadur Lala Anand Sarup: Sir, I rise to support the motion of my friend, Mr. Muhammad Rahmat Khan. The United Provinces Zamindars' Association, Muzaffarnagar, also received several complaints from the zamindars of the Bulandshahr District that compensation was not given to them by the Irrigation department for land acquired for these tube-wells. I think the law is quite clear on this point that

[Rai Bahadur Lala Anand Sarup.]

when land is taken for such purposes compensation should be paid to the zamindars. I, as Secretary of the Zamindars' Association, represented the matter to the Agriculture Department and I request the department to consider the question and to give adequate compensation and also to see that proper culverts are made under the road so that there may not be any water-logging in the fields as suggested by the mover.

The Hon'ble the Finance Member : Sir, I think it is desirable that I should say a few words on these complaints which have been made with regard to the tube-wells constructed in the Bulandshahr District. I do so, Sir, with the more assurance, because I have myself probably seen a good many more of the tube-wells in the Bulandshahr District with my own eyes than either of the two honourable members who have just addressed the House. I was aware, Sir, when I visited the Bulandshahr District in January last in company with Sir William Stampe that certain complaints had been made in this district, alone of all those which have so far had the benefit of the tube-well scheme, that first of all compensation had not been paid to cultivators for the land acquired for certain purposes in connexion with this scheme and that guls and tube-well roads had been constructed in such a way as to be a source of inconvenience to the cultivators whose land lay in the neighbourhood of the tube-wells. One of the honourable members for Bulandshahr District approached me whilst I was at Bulandshahr and both I and Sir William Stampe discussed the question with him for some time. I then assured him that I would give my personal attention to these complaints and discover how far they were justified. The honourable member tabled certain questions to which I gave an exhaustive reply some days ago, although I observed that he preferred to be in Delhi rather than in Lucknow on the day the questions were answered. But, Sir, any one who read the answers then given must have observed that the state of affairs divulged hardly justified the complaints that were made. I freely admit, Sir, that there are cases in which compensation has not yet been paid; but as I said in answering those questions, compensation will of course be paid for every square yard of land that has been taken up according to the usual rules. The only reason why there has been this slight delay in paying compensation was because the irrigation staff thought that the important thing was to get the wells sunk and the water delivered to the cultivators in time for them to use it on producing the present rabi crop which they will reap in a few weeks' time rather than in performing these routine duties which take up a great deal of the time of the staff and which, if they had been carried out before the work of sinking the wells had been proceeded with, might have resulted in the water not being available even up to the present moment. That, Sir, I hope, disposes of the suggestion that Government have any intention of utilizing cultivators' land without paying for it.

Another complaint was made with regard to the tube-well roads. Well, Sir, I answered a question about this complaint among the other questions which I have just alluded to. I also mentioned the whole subject of these roads in a note which was distributed to every member of the Council before we had the debate on the Hydro-electric programme about two weeks ago. I took the opportunity myself of

travelling over a considerable length, about 100 miles, of these tube-well roads, so that I could see exactly how far they really were inconvenient to the cultivators. Sir, a tube-well road is only 10 feet wide and naturally it has to be constructed as far as possible in a fairly straight line. Where it can be made along the alignment already followed by a district board or a village road which is good enough for light motor traffic, that alignment is of course used; but unfortunately that state of affairs does not occur in a large part of the area served by the tube-wells. The necessity for these roads is immediately apparent to anybody who goes for a short tour through the tube-well area. It is impossible for the *mistris* who look after the wells to get round quickly enough on bicycles, which are their present means of conveyance, unless there is a straight road leading from one tube-well to another. We must remember that in the district of Moradabad there will eventually be over 400 of these wells and that other districts in the neighbourhood are being provided with an almost equal number. The number in Bulandshahr is not so large and apparently the local inhabitants are not fond of tube-wells. We shall bear that point in mind and arrange to distribute elsewhere any extra wells which it may be possible to build from grants voted by the Council this year. But, Sir, wherever tube-wells are built, it is essential for their proper maintenance that there should be easy means of travelling from one tube-well to another, so that both the *mistris* and the subordinate inspecting staff and the higher supervising staff may be able to travel easily from one tube-well to another and so keep an eye on the whole system. Unless this is done there are bound to be complaints; and there is bound to be a certain lack of supervision which will undoubtedly react upon the supply of water to the cultivator and upon the facilities which he is at present enjoying from the existence of these tube-wells.

With regard to the complaint that guls leading from the tube-wells into the fields are sometimes made straight across the fields, I assured myself by examining scores of tube-wells that this is not a reasonable objection. It is of course inevitable that sometimes a gul leading from a tube-well should pass through the centre of a cultivator's field; because if a gul is made in every case along the field boundaries it will sometimes have a very circuitous and curved course which is bound to retard the flow of water. But as far as possible, as I assured myself with my own eyes these guls are made along field boundaries where they cause the minimum of inconvenience to the cultivator.

These, Sir, I think, are all the complaints that have been made. I am sorry this one district should have found the construction of tube-wells inconvenient to it. But we will bear in mind what has been said by the two honourable members and take care that the districts of Bulandshahr and Muzaffargarh shall, if possible, not have occasion in future to make such complaints.

Mr. Muhammad Rahmat Khan :

مستتر متحد رحمت خان —
جناب صدر — آنریبل فائینس میمبر صاحب نے چو فرمایا ہی کہ میں نے
خود ضلع بلندشہر کا دورہ کیا ہی مگر مجھے انسوس ہی کہ آنریبل فائینس میمبر

[Mr. Muhammad Rahmat Khan.]

صاحب ہمارے موانعات کو جہاں پر ٹیبو ویلس لگائے گئے ہیں یا جہاں پر کہ زالیان اور سرکیں نکالی گئی ہیں وہاں کا معائدہ نہیں فرمایا ہی ورنہ اُن کو میرے اس بیان کی تصدیق ہو جاتی جناب آنریبل فائننس ممبر صاحب نے یہ بھی فرمایا ہی کہ وہاں پر ٹیبو ویلس نہیں لگائے جائینگے اگر وہاں پر اس کے متعلق اس قسم کی شکایتیں کی جاتی ہیں تو میں اس کے متعلق یہ عرض کروں گا کہ اگر گورنمنٹ عالیہ ہماری مشکلات کا کوئی انسداد نہیں کرنا چاہتی ہی اور پانی کی ریت میں یہی تخفیف کرنا نہیں چاہتی ہی تو ایسی حالت میں ہمارا ضلع مجبوراً یہہ کہنے کے لیئے تیار ہی کہ ہم کو ایسے ٹیبو ویلس کی ضرورت نہیں ہی اور اگر اُن سے کاشتکاران کو فائدہ نہیں پہنچتا ہی بلکہ فائدہ کے بجائے نقصان پہنچتا ہی تو وہ گورنمنٹ عالیہ کی اس معدودی کو ساتھ شکریہ کے واپس کرنے کو مجبور ہونگے۔ میں ان الفاظ کے ساتھ اپنی تحریک کو واپس لیتا ہوں *

The motion was, by leave, withdrawn.

Rao Sahib Thakur Shiva Dhyani Singh :

راؤ صاحب ٹھاکر شیو دھیان سنگھ -

جناب پریسڈنٹ صاحب -

I beg to move that under the entire head, a reduction of Re.1 be made.

The Hon'ble the President :

آپ ذرا انگریزی میں تقریر کر کے دیکھئے تو

Rao Sahib Thakur Shiva Dhyani Singh :

اس کٹ سے میرا مطلب یہہ ہی کہ میں گورنمنٹ سے دریافت کروں کہ ہانڈرو اسٹریک establishment میں -

The Hon'ble the President :

establishment تو اگلے میں ہی

Rao Sahib Thakur Shiva Dhyani Singh :

جو اچکل نوکر رکھے جارہے ہیں مثلاً برعنی - لہار یا دوسرے مزدور پیشہ لوگ اُن کی کتنی تعداد ہو رہی ہے اور کتنی تعداد باہر سے آئی ہوئی ہے *

The Hon'ble the President : Is establishment under the next grant?

Mr J L Sathe : Yes, Sir.

The Hon'ble the President : The motion is out of order here.

The Hon'ble the President : The question is that for the construction of irrigation and hydro-electric works not charged to revenue a sum of Rs.1,22,34,600 be granted

The question was put and agreed to.

GRANT No. 23—CHARGES ON IRRIGATION ESTABLISHMENT

The Hon'ble the Finance Member: Mr. President, I beg to communicate to the Council the recommendation of His Excellency the Governor that under the head Charges on Irrigation establishment (XIII, 15, 16, 55 and 55-A) a sum of Rs 51,58,989 be granted, and I move that the said sum be voted.

Sir, I need not detain the House with a speech on the subject of the establishment charges connected with the Irrigation and Hydro-electric scheme. The total provision for the budget year shows an increase of a little more than Rs.2½ lakhs, made up of an increase of roughly Rs 2 lakhs under irrigation and half a lakh under Hydel. There are of course inevitable small changes under various heads—pay of officers, establishment allowances, etc.: but the main reason for this increase in the amount which the House is asked to vote is the provision made firstly for the fairly large work of remodelling the Mat Branch to which I referred in my speech just now, and also for the two new development divisions for which staff has to be provided.

I should like to take the present opportunity of expressing my own and Government's appreciation and gratitude to the whole of the Irrigation staff from the Chief Engineers downwards to the most subordinate officials who work in that department, for the splendid work which they are doing for the province. I had occasion in my budget speech to inform the House that it was the large income from the canals which saved the province in the current year from a much larger deficit than the one which we at present anticipate. The revenue from Irrigation under all heads was roughly 17½ lakhs larger than was anticipated. This is no doubt partly due to climatic conditions; but no climatic conditions could ever be so favourable as to make all that difference, had it not been for the enthusiastic and perpetual hard work put in by the members of the Irrigation staff. I should like to tell the House a little story about one of the subordinates of this department. It happened that last year there was some extra water made available for the Gauges canal by electric pumping, and it was decided to utilize this by constructing a new minor taken out of the Mat Branch. This piece of work was entrusted to a certain officer to carry out during the monsoon; and I need not inform honourable members of this House that earth work of this kind is not easily consolidated during the monsoon. Nevertheless this subordinate official did the work so well and completed it so early that it was possible to supply water to the fields commanded during the current rabi season, with the result that an additional Rs.10,000 of canal revenue was obtained from that minor. As a reward for this special work I was glad to be able to sanction three advance increments of pay to the officer who had done it. The total cost to Government on account of this concession amounted to only Rs 700 during the remainder of this officer's service. Nevertheless he was pleased to receive this mark of recognition. I do not mention his name, partly because it is against our rules and partly because I think it would be unfair to many other officers who may have done equally

[The Hon'ble the Finance Member.]

good work, but have not had the good fortune to come to notice in the way that this particular piece of work did. I simply mention this as an instance of the admirable tradition which has been created in the Irrigation Department that every officer must do his very best for the department and for the province. I think the House should know what fine staff of officers they have working for them in this department.

Rao Sahib Thakur Shiva Dhyani Singh: Sir, I beg to move that under sub-head 2—In charge Public Works Officers—A—Direction, Pay of officers, a reduction of Re. 1 be made.

راؤ صاحب ٹھاکر شیو دیان سنگھ —

جناب والا — اس کت کے ذریعہ سے مجھے کو بہہ عرض کرنا ہی کہ بھت میں زیادہ حصہ deficit اریگیشن کی وجہ سے ہوا ہی — اس سال Rs. 51,58,79 Hydro-electric establishment پر خرچ ہونے کی تحویز ہی اب تک گورنمنٹ نے اس پراؤنس کی بہتری کے لیئے سب سے زیادہ ترقی جو امکان میں Hydro-electric کی تھی وہ اُس نے کی — اب تک ہمارے چیف انجینیئر صاحب اس development کے کام کے لیئے جلدی سے جلدی جہاں تک اُن کو موقع ملا پہنچے لیکن وہ کیا کریں اُن کے سواری کی رفتار اتنی کم تھی کہ وہ جلدی مقام مقصود پر نہیں پہنچا سکتی — لہذا میں گورنمنٹ سے درخواست کر رہا کہ جہاں اُس نے اتنا خرچہ برداشت کیا ہے وہاں رہ ہمارے چیف انجینیئر صاحب کی سواری کے لیئے ایک Aeroplane کا اضافہ اُس میں اور کر دے تاکہ وہ جلدی سے جلدی ایک جگہ سے دوسری جگہ پر پہنچ سکیں — علاوہ اُس کے ایگریکلچر محکمہ کے ڈائریکٹر صاحب وغیرہ کو بھی اگر ضرورت ہو تو وہ بھی اس میں سفر کر سکیں اور اگر کسی جگہ کا معائنہ دکھانے کی ضرورت پیش آجائے تو ہمارے راجہ صاحب سلیم پور بھی جاسکیں — میں ہی نہیں نہ معلوم کون کون سے ممبران اس سے مستفیض ہوسکیں گے — لہذا میں بہہ تجویز کر رہا کہ گورنمنٹ ہر اہ مہربانی ہمارے انجینیئر صاحب کی سواری کے لیئے ایک Aeroplane منظور کرے *

Raja Jagannath Bakhsh Singh: Sir, I rise to speak on this motion with a view particularly to draw the attention of the Direction staff of the Irrigation Department towards the development of hydro-electric schemes. It is unnecessary for me to argue in this House how important it is that this line of development should be accelerated as any other lines in the Irrigation Department. Perhaps it was last year that the Government, I should say the Chief Engineer of the Open Canals, put before this House a new scheme by the name of Fyzabad and Sultanpur Pumping scheme. That scheme is to cover some very important districts in the province of Oudh. I have not known since as to how matters are proceeding in this connexion. I daresay that under the supervision of the present Chief Engineer of the Open Canals, who has established his reputation for energy, enthusiasm and great exuberance in this line, matters would be proceeding as fast as funds allow. I should like to know what is the estimate about the time

when that scheme will be put through in these districts. Electricity is not a luxury. . . .

The Hon'ble the President: I regret to interrupt the honourable member, but remarks like that ought to come under a separate cut, i.e. under the entire head, according to the ruling of the Chair given in the past. We are concerned here with a particular item.

Raja Jagannath Bakhsh Singh: I have no objection to speaking on this matter later, but I want to point out that if for a fast development of this hydro-electric scheme it may be necessary to supply an aeroplane to the department I shall be one to support it.

The Hon'ble the President: Then the honourable member should come to the point at a flying speed and not so slowly.

Raja Jagannath Bakhsh Singh: I regret very much that not being in possession of an aeroplane I have to proceed with my own speed. Now, Sir, every member knows that for the furtherance of such new schemes it may be arguable for the staff to contend that they require more increase in staff. If that is so and if it is possible that the supply of aeroplane will reduce the demand of the department for increasing their staff, I would not disagree to it, for instance it may be suggested that it is necessary to have another Superintending Engineer for that work or another Assistant to the Head of the Department. That will be a much more costly affair. The provision of one such officer with necessary equipment becomes a very large amount. An aeroplane is not now much more costly than a good motor car. In case the provision for a fast conveyance to the Head of the Department is likely to reduce further demands for increase which may be made in the absence of that provision, I think the supply of an aeroplane should not be objected to and will not be objectionable in that case. From that point of view I will support the motion of my friend Thakur Suiva Dhyau Singh. But if it is said that the aeroplane is to succeed the motor car, I do not think there is a strong case for it. In case it is only to be utilized for the greater benefit of these provinces should have no objection to such provision.

The Hon'ble the President: If the honourable member will page 15; he will find that there is an increased provision for an additional Superintending Engineer. Is it the contention that there should not be demanded and an aeroplane should be given instead?

Raja Jagannath Bakhsh Singh: May I have your permission to listen to the reply of the Government in this respect? It is up my mind?

Rai Bahadur Babu Jagadeva Roy: I intended to support Dhayau Singh but when I heard the speech of P. I should reconsider the matter. Raja Sani, is the honourable mover, if the post of an additional Engineer which has been shown in the budget is accepted. In that case he considers that it would be much more expensive than the provision of an aeroplane. In any case we are also opposed to the creation of that post. If I mistake not, last time it was a sort of understanding that that was a

[Rai Bahadur Babu Jagadeva Roy.]

temporary post, but now we find that it is going to be made permanent, to which we are opposed. My point, therefore, is that the mover himself will not be serious that an aeroplane should be supplied. I oppose that motion because I do not find in the first place that there is a necessity for it and in the second place, I say that even though there be a necessity for it, it can be met in the ordinary way by having a motor car. I, therefore, submit that no case has been made out and I, therefore, oppose the motion.

Pandit Prem Ballabh Belwal : I am sorry that I cannot see eye to eye with my honourable friend Rao Shiva Dhyan Singh when he makes a proposal of giving an aeroplane to the Chief Engineer. I think in the first place the demand should have come from the Chief Engineer himself and he ought to have convinced the House that he cannot discharge his duties efficiently unless he is in possession of an aeroplane. In case the matter was of any real importance it was open to Government to come forward with a demand for the purchase of an aeroplane. Moreover, I think aeroplanes are still not so complete and free from risk. A great amount of risk is involved in flying in an aeroplane. We hear of so many accidents occurring every day. The Chief Engineer has been of great value to the improvement of irrigation and to the hydro-electric scheme in the province and we can ill-afford to risk his valuable life by asking him to travel by air. In any case it is not wise for our Chief Engineer to requisition the services of an aeroplane on every occasion, unless it is absolutely necessary for him to do so. With these remarks I oppose the motion.

Khan Bahadur Maulvi Fasih-ud-din : I think that there is something at the bottom of what my friend, Rao Sahib Thakur Shiva Dhyan Singh, has said and those who have opposed him lack the flight of imagination with which he seems to have been possessed. The aeroplane flight is not considered to be risky in these days, specially the small flights which the Chief Engineer will have to perform. At the same time I would submit that if at any time he is given an aeroplane which will be convenient for him for the purposes of inspection of his work, then he need not be given the travelling allowance, but the actual cost of petrol. In that case the finances of the Government will gain, provided he agrees to this.

Rai Bahadur Kunwar Surendra Pratap Sahi : I had no intention of taking part in the debate, but as it appears that a novel idea has emanated from the Government that the Chief Engineer be provided with an aeroplane, I thought that I might express my views on the subject.

Khan Bahadur Maulvi Fasih-ud-din : It is not the Chief Engineer who has made the proposal. It is Rao Sahib Thakur Shiva Dhyan Singh.

Rai Bahadur Kunwar Surendra Pratap Sahi : Sir, I cannot take the conservative view that it is risky to travel by an aeroplane. I have seen the figures of accidents by aeroplanes and by motor cars, especially in America where the automobile industry is at the present moment most highly developed. There I find that the percentage of accidents from automobiles is considerably higher than from

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aeroplanes, so that as far as the risk is concerned, I do not think that there is greater risk of life by travelling in an aeroplane than by going about in a motor car. But the main point that I would urge for the consideration of the House is that a man in an aeroplane gets a clearer bird's eye-view of the land underneath than in any other means of communication. The Engineer travelling by a road cannot have any clear idea of the land on all sides which is to be irrigated. For purposes of irrigation survey is absolutely essential, and for the purposes of survey a bird's eye-view of the land to be surveyed is necessary, and the only way by which an officer can get a clearer idea of the whole situation is by travelling in an aeroplane. I would, therefore, very strongly support the motion made by Rao Sahib Thakur Shiva Dhyani Singh that the Chief Engineer might be provided with an aeroplane. Nowadays a Moh plane does not cost more than Rs. 6,000. The Rs. 6,000 is a figure which the budget of the Irrigation Department can easily afford to provide. I, therefore, support the motion.

Khan Bahadur Saiyid Jafer Hossain : I support the motion now before the Council. I consider that in these modern times the aeroplane is not such a novel thing as should be brushed aside as being impracticable. I would go to the length of saying that an aeroplane is very economical, and for purposes of supervision and inspection certainly a very effective way of doing things. It is I believe a normal equipment of officer which Governments in all other countries have got, and I see nothing very novel in the idea of having an aeroplane in which one could travel quickly and pay visits in the minimum of time. It will at least be for the good of the country side as a whole.

The other point for consideration is what my friend, the last speaker suggested as regards aerial reconnaissance and aerial survey. That is also a necessary equipment so far as the Irrigation Department is concerned. Of course we do not know as to how the Chief Engineer will take this motion of my friend here, whether he would agree to the possession of an aeroplane

The Hon'ble the President : I think he will want two aeroplanes not one, because if one is damaged he can use the other.

Khan Bahadur Saiyid Jafer Hosain : Not only the Chief Engineer will benefit, but certain honourable members of the Government will also be able to utilize the machine and see for themselves how far progress has been made in this respect. The other Chief Engineer of the Irrigation Branch will also be able to use it. The machine will cost about one to two thousand pounds. I think it will be one of the best advertisements for the department and at the same time is an investment which will in the long run prove economical.

***Mr. C. Y. Chintamani :** Sir, I am extremely sorry to strike a jarring note when so much harmony is prevailing among the members in the race for providing amenities to the Chief Engineer. Though it is an ungrateful task that I have to perform, I have to say "no" so far as I am concerned. I know that my voice and vote will not decide the issue, but every member owes a responsibility to himself and he must speak his mind. I have joined freely honourable

[Mr. C. Y. Chintamani.]

colleagues of mine who have vied with one another in the expression of admiration for the work that has been done in recent years, but, Sir, I stop with that admiration. I have not in me the urge to advance to the position of a *pujari*. I have heard the speeches that have been made in superlatives of pre-eminence, and remain cold and unconvinced. We have read yesterday and today a new item of retrenchment in the Government's programme in separating, for the first time, the office of Inspector General of Registration from that of Excise Commissioner. If this news given in the newspapers is correct, then we see the first use of the new taxation that has been voted by the Council. I think here is another line of advance towards economy. The Chief Engineer and the Finance Member would themselves have taken up this matter if they had felt the need of an aeroplane, if they had felt that thereby efficiency of work would increase or work would be done at less discomfort. I do not think they are so very modest as to have hesitated to come forward with proposals of this kind. Here is a case of people being more loyalists than the King himself, and I am a bit amused at the enthusiasm that is being shown on several sides of the non-official section of the House. No case has been made out. We must cry halt to enthusiasm for expenditure and I must say "no" to all this.

Sir William Stampe: Sir, I think the main idea which actuated honourable members from all corners of the House in suggesting increased mobility for the senior staff of the Irrigation Department was that during the remainder of the period of service of our present senior officers, their services should be made available for the development of schemes all over the province. The Chief Engineer should be able to spend the maximum of time in areas where his services are likely to be wanted. As the House knows, at present, my own activities, and those of my colleagues, are mainly limited to the western areas. A railway journey to take me from my western headquarters, where most of our work is situated, to the east of the province takes from 12 to 24 hours. When one arrives there after possibly a night or a day in the train one's mind is certainly not as active in tackling the local problems as it would be if one could arrive quicker. Although I did not put this proposal forward personally, I did discuss it with various members. I am definitely of opinion that as personally having only about a year and half more in which to serve these provinces it would be beneficial in that one could do more for the eastern parts of the province if one could spend a larger proportion of one's total travelling time in areas such as Sulthanpur, and the districts to the east, where, I can assure the House there is great scope for the development of these steam electric schemes. Various aspects of the problem have been put forward. I can assure the House that the idea would be welcomed by the junior members of the department as it might result in rapid promotion. Again my honourable friend, Khan Bahadur Saiyid Jaffer Hosain suggested that the Chief Engineer of the canals could pay surprise visits. I hope he did not mean sudden descents, as a good deal of the local ground is pretty hard and crash landing would be rather painful. Joking apart, Sir, I am personally of opinion that a Chief Engineer could be twice as effective in a post which takes him all over the

province if he had an aeroplane, not necessarily the property of the State, but if he had the consent of the Government with the approval of the House, to hire one on suitable occasions. Perhaps my honourable friend the Leader of the Opposition might withdraw his opposition if it were left like this that the Chief Engineer with the consent of the Government in his own department would be at liberty to hire an aeroplane on particular occasions to travel to the east of the province to enable him to spend longer time in the districts where he is wanted.

Thakur Muneshwar Bakhsh Singh : Sir, may I ask one question? I wish to know whether, when provision for one aeroplane is made, the Irrigation Department will do away with the increase that is proposed in the number of Superintending Engineers?

Pandit Prem Ballabh Belwal : May I ask a question?

The Hon'ble the President : Question can be asked at the end of a debate.

Rai Sahib Rai Rajeshwari Prasad : Sir, I know very little about the Irrigation Department and much less about the aeroplanes, but I think that the House too, at least those members of the House who have been talking about this proposal, have been equally ignorant about the matters which they have been discussing. One honourable member has said that the cost of an aeroplane would be about Rs.6,000, while another honourable member has said that the cost of an aeroplane would be about £2,000. Now, Sir, what do these two figures mean? The disparity between these two figures clearly shows the little knowledge that members of this House possess about aeroplanes.

The Hon'ble the President : What about the recurring charges?

Rai Sahib Rai Rajeshwari Prasad : I am coming to that. We have also to look to the recurring charges. There will have to be a pilot and I do not know what the pay of the pilot will be. After some time we may have a Chief Engineer who may not like to be so much in the air as our present Chief Engineer wants to be.

Then, Sir, there are so many other aspects of the question. The financial aspect has got to be more seriously and carefully examined. We do not know about the cost of an aeroplane, much less do we know about the recurring expenses. And then, who will have to pay those expenses? All these questions have got to be carefully examined before we can come to a decision. If the simple question was as to whether the Chief Engineer should use an aeroplane if he likes to do so in case of emergency and he wanted the consent of the House for that purpose, then my opinion is that he should have experimented first and then the Government should have come forward before the House with its proposal. We are concerned more with the financial aspect of the question. We ought to find out first as to what this experiment would cost and what actual good such an experiment would bring to the province. It has been said that a good deal can be done for the eastern districts. Only the other day when the Hon'ble the Finance Member was speaking in connexion with the extension of the scheme to the eastern districts he said that it was not possible for the Government to make a start with the irrigation scheme in the eastern

[Rai Sahib Rai Rajeshwari Prasad]

districts. But it now appears that Government does possess a mind with regard to the possibility of a quick or slow extension of this scheme to the eastern districts. I do not think we should come to a hasty decision in a matter of this kind. If the Chief Engineer thinks that he had better use an aeroplane for the sake of quick journey from one place to another, he can make an experiment and then we shall see as to what the charges are. This House can accede to the principle of the Chief Engineer's using an aeroplane only if it is in full possession of all the facts, specially regarding the financial side of the question. If we do not know what difference it would mean in the travelling allowances when an aeroplane is kept, I do not think any honourable member on this side of the House can seriously cast his vote in favour of the proposal which has been made.

(The Council at this stage adjourned for lunch at 1.15 p.m.)

(After recess the House reassembled at 2 p.m. with the Deputy President in the Chair)

The Hon'ble the Finance Member : Sir, by making a statement about the attitude of Government on the subject of the cut which is now engaging the attention of the House I may facilitate the conclusion of this debate. Sir, I do not think Government would be prepared to accept a suggestion that we should acquire an aeroplane for any particular officer. I entirely agree with my friend the Leader of the Opposition that we have to consider very carefully not merely capital costs at the present time but also recurring costs. Those who have had anything to do with aeroplanes are well aware of the fact that not only are their maintenance charges considerable, but also that replacements are items which have to be reckoned with before the question of acquiring an aeroplane is seriously undertaken. But, Sir, I understood that the real object of the honourable mover was to impress upon Government the paramount importance of saving the time of Sir William Stampe and of any other high officer of his department who has to make long journeys in the province in the course of his inspections and of his ordinary duties. That is a point which Government will certainly consider with attention. It is a matter of almost daily occurrence in Europe and America to-day where important professional men or other important persons are required to visit places at a distance from their headquarters for a short time that an aeroplane is used as the most convenient as well as the quickest form of transport. As the Chief Engineer pointed out the use of an aeroplane in this province for long journeys might occasionally enable him to economize very considerably in the time spent in travelling besides securing his arrival at his destination in a much fresher condition than would be the case if he just made a long journey by train or motor car. Take an obvious instance. If Sir William Stampe had to attend a short session of this House for an hour or so on any particular day it would be perfectly feasible for him to leave Roorkee, his headquarters in the western districts, at 8 o'clock in the morning and arrive in time here for Council at 10.30. Then after attending the session he could be back in Roorkee perhaps by 3 or 4 in the afternoon in a state of sufficient freshness of mind and body for him to be able, if necessary, to do some work. Whereas if he made the

journey by train he would probably have to do two night journeys and in addition spend a whole day in Lucknow. Well, Sir, that is an instance of possibly sufficient importance to justify the use of the means of locomotion. Nor would there be any great difficulty in arranging for the hire of an aeroplane from time to time, if this seems to be worthwhile from Government's point of view. It is merely a question of balancing the advantage gained against the slight extra expense. The hire of an aeroplane, naturally, is not a very costly matter or beyond the reach of even ordinary persons. I know for instance that not long ago a district officer of a hill district found it worthwhile to fly from a certain place in the plains to his destination in the hills in order to save himself three or four long days marching along hill roads. Well, Sir, that is all I need say on the subject. I do not think that Government are in a position to accept the cut motion which was to suggest that Government should acquire an aeroplane; but I am quite ready to give my honourable friend an assurance that Government will consider the essential point that he raised, viz. whether it would be worthwhile for Government to countenance the use of an aeroplane on special occasions by Sir William Stampe or any other officer whose time is of sufficient value to be worth economizing in the service of the State.

Rao Sahib Thakur Shiva Dhyani Singh :

— راؤ صاحب ٹھاکر شیوا دیان سنگھ

جناب دینی پریسڈنٹ صاحب - سب سے پیشتر میں اپنے آنریبل ممبر صاحبان صاحب کا شکریہ پیش کرتا ہوں کہ جنہوں نے میرے cut motion میں اس کی ضرورت سمجھتے ہوئے حصہ لیا ہے۔ میرا منشاء جو گورنمنٹ سمجھتی تھی وہ بالکل ٹھیک تھا۔ میرا منشاء صرف یہ ہے کہ hired aeroplane جس وقت اُس کی necessity ہو وہ گورنمنٹ for the time being پر لیا کرے اس سے جو کچھ بی Irrigation and Agriculture departments کے experiment کر کے دیکھ لیا جاوے - لہذا گورنمنٹ ہوسکیں اُس کا بی experiment کر کے دیکھ لیا جاوے - لہذا گورنمنٹ سے یہ استدعا کرتا ہوں کہ اس کو experimental یعنی عارضی طور پر دیکھ لے *

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head Direction—1. Pay of officers—Total, a reduction of Rs.6,700 be made.

I have put in this substantial cut and several other similar cuts in the Budget of Canal Department simply because we have not been able to make any substantial cuts in the past in the departments which have already been guillotined and because I think that it is very necessary in the interest of the tax-payer as well as of the Government itself to try to find out some wastage in some of the departments. I must make it clear that by moving these cuts I do not mean any reflection on the Canal Department. In fact, like my friend Mr. Chintamani, I am a profound admirer of the Hon'ble the Finance Member, though,

[Khan Bahadur Maulvi Fasih-ud-din.]

unlike him, I am also a *pujari* of him so far as the Canal department is concerned, and when that *pujari* wants to remove some of the unnecessary idols from the temple of that department I hope that this staunch iconoclast will not be condemned for that action. I find that the total under this head during the last budget was Rs.50,000 odd, and the present total is in excess of that total by about Rs.6,700. Looking more minutely into the budget, I find that this increase is due chiefly to a certain item relating to the head "Salaries and Superintendence." The present allotment under this head is in excess of the allotment made last year by as much as by Rs.7,000 odd, the net increase being the amount which I propose to cut down. I do not mean to curtail the activities of the Canal department, but I think it is not at all justifiable to increase the pay of the officers, especially the temporary officers, by such a huge amount. The Hon'ble the Finance Member has said in his opening speech that these increases are due to the improvement of the Betwa Canal in Bundelkhand and chiefly to the increase in the number of divisions by two. I do not see any justification for an increase in the number of divisions at a time when we are suffering from such serious financial stringency and when we have agreed to new taxation in order to meet at least some part of the deficit in our budget.

The Deputy President: The question is that under sub-head Direction—1. Pay of establishment—Total, a reduction of Rs. 6,700 be made.

The question was put and agreed to.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head Direction—2. Pay of establishment—Temporary staff, a reduction of Rs.1,000 be made.

The amount budgeted under this head last year was Rs.30,000 odd and this year it is Rs.31,000 odd. I hope that some explanation will be coming forward for this increase and I will certainly withdraw my motion if a reasonable explanation is forthcoming. It is because there is an excess up on the previous budget that I have moved this cut.

Sir William Stampe: Sir, the difference between the demand for the coming year and that of last year is due to the normal increase in the pay of the staff which occur from year to year. I have not got details with me of the temporary staff, but I can assure the honourable member that the increase is very nominal. It is only 3 per cent.—Rs.1,000 on Rs.30,000. The House will appreciate that we have a larger budget both under capital and maintenance than we have had for many years due to the acceptance by the House itself of both the Hydro-electric and the tube-well schemes as well as the Fyzabad scheme and the remodelling of the Mat Branch. I feel that the House will appreciate that in order to ensure that there is no waste of money we must have a slight increase in staff which is in proportion to the increase in the capital cost of the work undertaken. I think that perhaps with this assurance the honourable member will withdraw this motion.

Khan Bahadur Maulvi Fasih-ud-din : The number is the same ?

Sir William Stampe : Yes. The increase in pay is from year to year. We cannot keep the staff on the same pay for all time to come.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head Direction—4. Conducing—Tour charges, a reduction of Rs.8,400 be made.

This is an excess on the budgeted amount for this year. The old budget was Rs.81,000 and old and the present one is Rs.80,000 and old. The increase is about Rs.8,000 and I hope that the honourable the Chief Engineer will be able to let us know the exact cause of this increase in the tour charges.

Sir William Stampe : Sir, I could inform the honourable mover of this out that owing to the sudden acceleration of the tube-well scheme, which my honourable friend himself voted for last June when the Council considered the question of completing all the tube-wells by the end of 1937, we had to form an additional circle for a Superintending Engineer. It was impossible for one temporary Superintending Engineer to supervise the construction and setting to work of no less than 1,430 tube-wells, in addition to the Fyzabad scheme and other activities not included in the tube-wells. We therefore put forward to Government proposals for a second Superintending Engineer on a temporary basis merely to last until the completion of the scheme. The Superintending Engineers must have tents and other incidental furniture which account for an additional sum of about Rs.5,000 out of the Rs.8,000. The other Rs. 3,000 is for the actual touring expenses of the additional Superintending Engineer.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head Direction 5—Contribution to Central Irrigation Bureau, a reduction of Rs.750 be made.

The contribution to the Bureau last year was Rs.7,600. This year it is eight thousand and odd. The excess is Rs.750. I do not know, Sir, why the contribution to the Central Irrigation Bureau has been increased by Rs.750 and unless some explanation is forthcoming for this increase, I think Sir William Stampe will agree that in these days of financial stringency if we can save even a pie it will be advantageous to the province.

Sir William Stampe : Sir, the increase of Rs.750 in our contribution to the Central Irrigation Bureau was fully explained in a note to the Finance Committee last November which was considered by that Committee who unanimously approved of the increased subscription. I will send my honourable friend a copy of the note to the Finance Committee. That will satisfy him, but for the information of the House I would say that the Central Irrigation Bureau has largely increased its activities during the past year. It has opened up a large number of additional subjects for research from which we as a province are deriving great benefit, and we confidently expect that as a result of these increased researches the cost of maintenance of our canal systems will gradually decrease and efficiency will increase in the future. I can assure the honourable member and the House that this small increase of subscription, Rs.750, is a very small insurance premium against the losses which we might incur if the activities of this Bureau of Research had to be curtailed.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I withdraw the motion.

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh: Sir, I beg to move that under sub-head 2.—In charge of Public Works Officers—A—Chief Engineers and Superintending Engineers including Hydro-electric direction charges, a reduction of Re.1 be made.

Sir, the object of my motion is to protest against the increase in the number of Superintending Engineers and the making of the post of the third Chief Engineer permanent. Up to last year there were only two Chief Engineers and six Superintending Engineers. Last year for the work of the Development section one Chief Engineer was added to the cadre of Chief Engineers, but that post was only a temporary one as was said by the Hon'ble the Finance Member last year. Now that post has become permanent. Last year we added one Superintending Engineer: this year we are adding one more. So, Sir, I think that either we must do away with the third Chief Engineer or we must not provide one more Superintending Engineer. I know, Sir, that the tube-well scheme and the hydro-electric grid scheme is improving every day and that Sir William Stampe is taking very active and keen interest in this matter, and to him certainly this province is much grateful. The other Chief Engineer, Mr. F. Anderson, is also performing his duties very well and with much sympathy. I think such officers in the Irrigation Department, are an example to other departments. They are very sympathetic to the people and they are doing their best for the good of the public, but Sir, at the same time we want that we should not increase the expenditure every year. Last year we were given to understand that one extra Chief Engineer and one Superintending Engineer will look after the work of the Development section. This year we are adding one more Superintending Engineer. I think that there is no necessity of having one more Superintending Engineer this year, and for that reason I have moved this cut.

Sir William Stampe: Sir, the honourable member referred to the statement made by the Hon'ble the Finance Member during the debate last year, that the extra post of Chief Engineer, Development, would be a temporary post and would be sanctioned for one year in the first instance. Because it has been sanctioned for one year, and possibly it may be necessary for another year or two, the honourable member has come to the conclusion that the post has become a permanent institution, I do not agree that there is any ground whatever for making that assumption. As I understand it, the post of Chief Engineer, Development, has been sanctioned for three reasons. One is to enable the Ganges hydro-electric scheme to be fully developed as sanctioned by the Council about ten days ago. That development is expected to last for about two years more. The second reason is to enable the State tube-well scheme, which was unanimously approved by the House in June last, to be carried out and, after being carried out, to be put into effective operation to earn its full revenues as quickly as possible. That activity is expected to take another three years. The third reason for which the post of extra Chief Engineer Development, was sanctioned was to investigate schemes outside our existing canal areas, such as the Fyzabad scheme, the Sultanpur scheme and, ultimately, the Ghazipur scheme and others still further east. These schemes, as the House knows, have been partially investigated, and one of them has not only been fully investigated and surveyed, but the

plant for it is being tendered for next month; and it is expected that the Fyzabad scheme will be put into operation by the rabi season of 1937-38. I can inform the House that prior to 1935 whilst I myself was in charge of the western canals in addition to the initial stages of the tube-well scheme and the whole of the hydro-electric scheme, I found that I had to work for 16 to 18 hours a day; and it was impossible, as my honourable friends in the House realize, for one single Chief Engineer to work efficiently at that rate and at the same time to initiate other schemes in the province. My opinion is that as long as these three big activities are in progress it will be necessary to keep a temporary Chief Engineer perhaps for three or four years more.

As regards the second Superintending Engineer, we did not include him last year, i.e. in the current year's budget because at that time it was proposed to take four or five years to complete the tube-well scheme and one Superintending Engineer could easily have completed the whole scheme in five years. But Sir, the scheme has been accelerated, and I can assure the House that it is not possible for one Superintending Engineer to supervise five construction divisions spread over the province from Muzaffarnagar to Fyzabad. These divisions are not in a compact area; they are spread over many hundreds of miles, and if one Superintending Engineer were to try to look after five such divisions there would be bound to be some confusion, because it is impossible for one man to superintend effectively such a large area. That is one reason why we have introduced a second Superintending Engineer. The second reason, Sir, is that it is very necessary as I explained to my honourable friend the mover before the lunch interval for as many of our senior officers as possible to be trained in looking after these new activities before the present Chief Engineers retire. The province has taken up enormous additional activities and the staff which is at present familiar with these new activities is a very small proportion of the total. My policy, which has been approved by Government, is to familiarise as many senior officers as possible with the new works so that when I go, and others after me go, we shall have a younger cadre of officers familiar with the new form of irrigation; otherwise there is serious danger of these new activities being neglected in the future. I put it to the House that these posts are necessary. With this explanation, Sir, I trust that the honourable member will withdraw his motion.

Thakur Muneshwar Bakhsh Singh: As I think the honourable members of this House have not taken a sufficient interest in this matter, I beg to withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I beg to move that under sub-head Executive—1. Pay of Officers—Temporary engineers (voted), a reduction of Rs.14,235 be made.

Sir, I find that the last year's budget was only Rs.14,000 odd, but this year it is double that amount, i.e. Rs.28,000 odd. It is possible that there may have arisen a necessity for doubling the number of these temporary engineers, but such a huge rise of cent. per cent. does require some very convincing reason to be given.

Sir William Stampe : Sir, I am glad of this opportunity of explaining to the House through the question of my honourable friend the necessity for this increase. If honourable members will look at item 3 of the same item, i.e. "Pay of Officers—Executive", they will see that the total cost of Assistant Engineers, i.e. permanent Assistant Engineers has fallen from Rs.3,52,000 to Rs.3,17,000. That is to say there has been a saving of Rs.35,000 under Assistant Engineers, and as the honourable member has pointed out there has been an increase of about Rs.14,000, or less than half of that amount, under temporary engineers. The reason for that is that we had to make a large number of new sub-divisions to control the new tube wells. Each tube-well sub-division can only contain efficiently about 100 to 150 wells. As the House knows there are 1,450 wells and we are thus making 9 or 10 new sub-divisions, each of which is to be manned by an Assistant Engineer. So that an increase in the engineering staff whether permanent or temporary is necessary. But as we are not yet certain at what stage the permanent staff will be required, we do not wish at the moment to burden the finance by a large increase in the permanent staff. We thought it safer to keep our permanent staff as it is and to increase the temporary staff. I can assure the House, Sir, that if it is proved later on that these temporary engineers are not necessary we can then reduce them without any grievance on their part. But if we were to make them permanent now and wished to reduce them later, it would require a Public Commission to get rid of them. So it is safer to increase our temporary staff and keep our permanent staff at about the same figure or in this case even less.

***Mr. C. Y. Chintamani :** I should like to know whether these temporary engineers engaged in connexion with tube-wells are those shown at pages 157-158 or whether they come under Hydrel establishment shown at page 160? Hitherto tube-wells and Hydro-electric used to be shown together but now it appears that they are shown separately. The Chief Engineer has uttered in defence that they are required on account of the tube-wells sub-division and so on. But if all this increase relates to tube-wells am I to understand that the figure on page 260 and onwards which relate to hydro-electric section have nothing to do with the tube-wells?

Sir William Stampe : I should like, Sir, to explain this rather technical point to my honourable friend the Leader of the Opposition and the House. Actually tube-wells are included in irrigation works, and provision of the staff for the energizing of tube-wells, that is, for finding power to work them, is listed on page 160. That is the Hydrel staff. There are two classes of developments as I would explain. First there is the tube-wells which utilize the energy. They are grouped as irrigation works and their staff is shown as irrigation staff. Then we have a sub-head called "Irrigation-Hydrel" which merely concern mechanical and electrical engineers who are engaged in erecting transmission lines and transformers and plant at the tube-wells, but they are not engaged on irrigations works. That staff is dealt with on page 160 onwards.

The motion was, by leave, withdrawn.

* The honourable member has not revised his speech.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I beg to move that a reduction of Rs.46 165 under the head of Subordinate Staff be made. Sir I find that last year's budget was 4,80 thousand and odd and this year's budget is 5,32 thousand and odd. There is a big increase of Rs.46 165. Probably some of this increase is due to the extension of the hydro-electric scheme into Budaun and some other districts. But the fact remains that the increase is very large and I should like to have some details of this very large increase in the number of subordinate officers and staff and other subordinates of the department.

Sir William Stampe: Sir, I would explain to the honourable member that the increase in permanent and temporary subordinate engineering staff and sub-overseers is mainly due to the large increase in the number of tube-well sections, both under construction and in operation, on the tube-well scheme. If the honourable member would refer to the note which I circulated to members of the House on the unemployment question he will see there explained how we arrived at this number of subordinates. Briefly one section of tube-wells, which is controlled by one of these subordinates, contains 25 to 30 wells; and if you divide 25 into 1,500 it means 60 new sections. This means 60 new subordinates—that is purely irrigation subordinates. In addition to that there will be a corresponding increase on the hydro-electric side to look after all the transmission lines for these tube-wells in Budaun and other districts.

The motion was, by leave, withdrawn.

Rai Bahadur Lala Anand Sarup: I beg to move that under sub-head D—Special Revenue charges, a reduction of Re.1 be made.

My object in moving this motion is to bring to the notice of the Government the hardship to which lambardars have been subjected to in not getting refunds on the water rates which they paid to the Government but could not recover from the tenants. The zamindar of a village who is called a lambardar used to collect these water dues from the cultivators and pay them to the Government on a commission of Rs.4-11 per cent., but as they found it difficult to collect these rates and to meet the collection, the litigation expenses and arrears, they were always the losers. In 1932 on my motion the Government was pleased to amend the Northern India Drainage Act of 1873 to give adequate relief to the lambardars so that these canal dues be collected through government agency. The lambardar could not collect the water rates due before 1932, viz. they could not recover from the cultivators what they paid to the Government before 1932 on account of the slump in prices. I mean that these are the water rates which they could not collect and which they paid to the Government before 1932. Of course after 1932 these water rates are collected by Government agency. The lambardar could not recover these dues even by filing suits and even by the execution of decrees because the cultivators could not pay these rates on account of economic depression and the slump in prices. In my district of Muzaffarnagar several lambardars applied to the District Magistrate for refund but only a very small amount was

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refunded and the rest was rejected. In reply to my question no. 42 on February 26, it was mentioned that "the claims made were rejected because the lambardars could not prove to the satisfaction of the Collector that the amount in respect of which the refund was claimed had not been actually collected by them and that failure to collect it was not due to any negligence on their part." Sir, if the lambardars had realized these rates and still they applied to the District Magistrate for refund I think they should have been criminally dealt with by the District Magistrate. As to the allegation that failure to collect them was due to negligence on their part, I wish to say that I do not understand what more they could do than that they filed suits against them, got decrees and executed them. It should not be understood by the Government that rents are not due on such tenants, but what I want to press here is that rents are also due on such tenants and still the Collector thought that no proper action was taken to realize these water dues and rejected their claims.

I wish to quote a few examples here of Muzaffarnagar where water rates and rents were due. In a village named Makhiali a claim was for Rs.960, but the amount allowed was Rs.125 only. The claim for the rest was rejected. I give below a few examples :

Makhiali village

				Water rate due	Rent in arrears
				Rs. a. p.	Rs. a. p.
Rupram	..	..	—	208 1 6	535 3 6
Bhartu	..	..	..	71 12 6	529 15 6
Dataram	..	..	..	83 9 0	476 0 0
Salamat Ullah	..	..	..	155 1 2	403 13 9
Sri Ram	..	..	..	41 9 3	71 10 0

In another village in tahsil Kairana the following figures will be found interesting :

				Rs. a. p.	Rs. a. p.
Sodagar	..	..	..	69 3 3	297 8 0
Baru	..	..	..	159 4 6	102 0 0

I have got a big list with me here, but I do not wish to take much time of the House by reading it. The law on this point is quite clear. Under the Board's Circulars, Volume I, rule 9 it is stated that errors in collection may be rectified, and when tenants have died, absconded or become paupers, remission may be granted by order of the Collector. Rule 50 of the Northern India Drainage Act states that in respect of balances irrecoverable owing to want of assents, absconding of defaulters or any other such cause, this rule applies to cases in which the lambardars have paid to Government the whole of the canal dues and have subsequently found a portion of them to be irrecoverable from the tenants. In reply to the same question the Hon'ble the Finance Member said that it is open to any person to take action in the civil court under section 67 of the Act referred to if he is dissatisfied with the decision of the Collector. I submit that according to the Board's Circular and the North Indian Drainage Act if these rates are not recovered from the tenant, who has absconded or become a pauper, these water rates would be refunded to lambardar. I urge

upon the Government the fact that they should ask the District Magistrates to give refunds to the lambardars in such cases at least where decrees were obtained and executed but could not be recovered from the tenants. I wish to say a few words about the temporary staff which has been employed by the Government to collect these water rates. Under the old rules it was stated that the collection charges should not exceed more than 3 per cent. Hence the staff was employed for ten months in the year. Now according to the new rules the staff is employed only for six months during the year. For the remaining six months not only they but the whole army of their dependants have to starve or go out as vagabonds. This is one reason why the cultivators are much harassed. The staff has to provide for itself for the off-season also, and as the proverb goes it makes hay when the sun shines. The subordinate staff thus harasses the cultivators in the realization of water rates. I would therefore request the Government to make the staff permanent. If it cannot be kept engaged the whole year some other work might be found for them in the off season. A smaller zamindar has to keep his *karinda* throughout the year, although he has work for him only for six or seven months. Similarly, I submit that this temporary staff should be employed for the whole year, so that the employees might remain satisfied.

The naib tahsildars who are kept to supervise the amins do not get any travelling allowance and they find it very difficult to go from one place to another. They have to keep a horse or some other conveyance. Therefore I suggest that some travelling allowance should be given to these-naib tahsildars. With these few words I commend the motion.

The Hon'ble the Finance Member : Sir, my friend, the honourable member for Muzaffarnagar, has raised three points on this cut motion. The first is with regard to the question of refund of canal dues which were paid by the lambardars, but which they subsequently found it impossible to recover from the tenants concerned. That, I am afraid, is rather an old question and, I understand, relates to a period prior to 1932. It is not clear to me how it is that this question has been raised after such a long time. I remember the question which he put a month or two ago and the answer which he quoted just now. If he desires further inquiries to be made and he will supply me with the details which he has just read out to the House, I shall be glad to inquire. But I am afraid that the case is so old that it will be difficult for the lambardars concerned to prove the case to which reference has been made by him.

The second point that he took was with reference to the temporary staff employed in making realizations of canal dues. There was a question about this and I remember that to a supplementary question I answered that that staff is employed at present for about nine or ten months each year. It is not usually the practice of Government to employ staff for which no work can be found when its work is essentially of a temporary character. The honourable member suggested that in the case of zamindars' *karindas* they kept them employed throughout the year even if their time of activity was only for a certain period of the year. But that analogy hardly holds good inasmuch as the zamindar's

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karinda can always be given a number of duties to perform which he can carry out at any time of the year, whereas the collection of canal dues is essentially a seasonal operation. When all the canal dues have been collected or as much of them as it is possible to collect during the season, there is always a period of one or two months before the new kist falls due and the work of collection again starts. Only the other day one of the honourable members of this House took Government to task for an alleged infringement of that rule by saying that attempts were made by zealous tahsildars to start collections before the due date. I am sure the honourable member from Muzaffarnagar does not desire Government to employ this temporary staff on such duty. But, Sir, it is the desire of the Government to offer this temporary staff as far as possible, permanent employment in the regular line of naib-tahsildars, when vacancies occur.

The third point taken by my honourable friend was the fact that additional naib-tahsildars were not given any travelling allowance when they were on duty. That, Sir, is a point which I promise to consider. It is not one which has yet been taken up here either in the form of a question or in any other way. But I undertake to give it due consideration.

Shaikh Muhammad Habib-Ullah: Sir, I had no idea to take part in the debate, but certain points of principle have arisen and I should like to elicit further information from the Hon'ble the Finance Member. It appears to me that the demand for the irrigation dues is prepared by the Irrigation Department itself, through the subordinates such as amins and patrols, while the collecting agency is the temporary agency of people of no less position than that of naib-tahsildars. Is it true? If such is the case, I should like to know on what principle the agency which fixes the demand consists of low paid people like patrols and amins who are inferior in position to the naib-tahsildars. Then it is said that the Government appoints temporary naib-tahsildars holding out to them the hope that if they will make good collections they will be appointed permanent naib-tahsildars.

There is another point. Since the time the Government have given up the old practice of having lambardars and have agreed to take upon themselves the collection of the irrigation dues, I should like to know whether the percentage of irrigation dues which they collected through the landowners was better or the collections which are made through this temporary agency.

The Hon'ble the Finance Member: Sir, I think my honourable friend is well aware of the system of collecting canal dues. In the first place the Canal Department prepare their *jamabandis*. These are sent to the tahsil where the actual collections are made. The *jamabandis* are simply a statement of the various tenants and the fields which have used the water. It is on the basis of these *jamabandis* that the tahsil staff undertake the collection.

Shaikh Muhammad Habib-Ullah: Who prepares the *jamabandis*?

The Hon'ble the Finance Member: Canal patwaris, patrols and ... prepare the statement of demand but it is not their ... This is the duty of the tahsil staff, as their name

The other question which he put was, "what was the result of Government having abandoned the system of lambardars." Government have not given up the system. It is the lambardars who have given it up. They found in 1931-32 that it was an onerous task and a great many of them failed to carry out their obligations and appealed to Government to release them from that duty. That is the real history of the lambardari system in connexion with canal dues. Whether or not the new system is more efficient or produces better results than the old one is a matter on which I am afraid I cannot give an answer at this moment. But if my friend Shaikh Habib-Ullah Sahib would like an inquiry made, I shall be very glad to find out and let him know later on.

(At this stage Rai Bahadur Lala Anand Sarup stood up to speak.)

Mr. C. Y. Chintamani: Can the honourable mover speak after the Hon'ble the Finance Member has spoken a second time?

The Deputy President: The Hon'ble the Finance Member spoke on a point of personal explanation, in reply to the queries made by Shaikh Muhammad Habib-Ullah.

Rai Bahadur Lala Anand Sarup: Sir, the Hon'ble the Finance Member has said that these arrears were due to 1932 and hence they are very old and an inquiry could not be made about such old cases. I beg to say that there is no doubt that these arrears are due to the years 1931 and 1932, but the lambardars waited to recover these dues in 1933 or in 1934. But because there was great damage to the crops during these years on account of some calamity or the other, they could not collect them and were obliged to further wait till such year which will be better for the cultivator. Unfortunately there was no such year and when they failed to realize the dues, they filed suits and got decrees in the year 1935. The dues could not be recovered even on the execution of the decrees. Thus it will appear that the lambardars or the zamindars lost no time to recover these arrears: they simply waited on account of economic depression and bad harvest. Hence I again urge upon the Hon'ble the Finance Member to look into this case. I will be very glad to furnish him with full facts and figures. I hope he will make inquiries.

About the temporary staff, Sir, I only want to impress upon the Government that if this staff is made permanent, it would be satisfied and do work better than it can under this half-starved condition.

With these words I withdraw my motion.

(At the close of the above speech the Hon'ble the President resumed the Chair at 3.15 p. m.)

The Hon'ble the Finance Member: I have already promised to make an inquiry in regard to the recovery of canal dues if the honourable member will kindly furnish me with the details which he has supplied to the House. I think that is all that he wanted from me and I thought that he was prepared to withdraw his cut motion.

The Hon'ble the President: Did the honourable member ask for withdrawal?

Rai Bahadur Lala Anand Sarup : Yes, Sir.

The motion was, by leave, withdrawn.

Rai Bahadur Lala Anand Sarup : I beg to move that under the entire head a reduction of Re.1 be made.

Sir, my object in moving this cut is to bring to the notice of this House that water rates on wheat are very high and they should be reduced by one rupee per acre. Sir, the question of the reduction in water rates has been discussed more than once on the floor of this House and a resolution was moved in 1934 that these rates be reduced by one-third and this question was also discussed in the Board of Irrigation and the United Provinces Zamindars' Association and other local bodies made representations that these water rates are high and they should be reduced. But I am sorry nothing has been done by the Government so far. Sir, this House is well aware that the cultivators cannot save anything for themselves and their families after paying these high water rates, rents, labour, etc. and I do not want to take much of the time of this House on this question. The Government have said that they could not have any saving from the Irrigation Department which would warrant these reductions and I want to deal here with this question only. Sir, the income from the water rates from the major canals excluding Sarda and Hydro-electric comes to Rs.1,70,41,000 and the expenditure is Rs.1,06,35,000, that is a saving of Rs.6,46,000. The expenditure includes Rs.58,76,000 working expenses and Rs.47,59,000 interest on the capital outlay. Sir, the reduction of water rate on wheat and barley comes to about Rs.10,52,480 if calculated on 878,118 acres flow at Re.1 per acre and Rs.3,48,725 at 8 annas per acre. I think Government can easily afford to make this deduction out of the profits of Rs.64,06,900. If the whole income from all the canals and Hydro-electric be taken into consideration I find that there will be a saving of Rs.26,81,000, though actuals for 1935-36 were Rs.41,77,000. So I think that the Government can easily afford to spare Rs.10,52,480 to give relief to the cultivators. Sir, I have compared the rate for wheat and barley with that in the other provinces of India and I think I may quote them here. In the Punjab the rate for wheat is Rs.4-4 per acre and for barley it is Rs.5-4 per acre, in the United Provinces it is Rs.5 for both the crops. In the North-Western Frontier Province Lower Surat Canal the rate for wheat is Rs.4 and for barley it is Rs.3-8. In Sind it is Rs.4-4 per acre. In Bombay nothing is mentioned about wheat and barley, but the rate for the whole of the *rabi* crops is mentioned at Rs 7 per acre. I think this province seems to be very fertile and can afford to pay such high rates. For sugarcane it can afford to pay Rs.45 per acre. I think we should compare this figure with that of our sister province, the Punjab, the climate and soil of both provinces being the same. Therefore I urge that the water rate for wheat be reduced from Rs.5 to Rs.4 or Rs 4-4 as in the Punjab. I find that in the Punjab the Irrigation Department can afford to give waterings to the wheat crop at least 5 or 6 times in the season, while in these provinces the cultivators do not get more than 3 or 4 waterings. For sugarcane in the Punjab they generally get 9 or 10 waterings, while in these provinces we hardly get 6 or 7 waterings, or even less. Sir, the commanded area also in the Punjab is 66 per cent. of the whole area under cultivation, while in this province it is only 33 per cent. This

shows that the welfare of the people in the Punjab is looked after by the Canal Department. If we can get water for 66 per cent. we will get better crops than we get from 33 per cent. But I hope that by the scheme of Sir William Stampe we will get more water from the sub-soil reservoirs for our crops. Of course water is essential for the cultivator to grow better crops and I think by his scheme the cultivator will be able to get better crops and to improve the variety. This province is an agricultural one and hence we require more water. By more water we will be able to grow more sugarcane for the several sugar factories which have recently been installed. Here I want to thank Sir William Stampe for his note on unemployment in these provinces, copies of which have been supplied to all honourable members. We see that the average salary bill for the staff, physical and technical, to be employed for both the schemes is Rs.9,79,336. This will relieve unemployment to a great extent. He has mentioned in this note that 39 officers will be employed who will get emoluments from Rs.100 to Rs.650 and 47 will get from Rs.60 to Rs.250 per month. There is also the grade of linesmen, electricians, switchboard attendants and sub-station attendants. In these grades there are at present 280 men increasing to 333 in 1938. Similarly he said that under the State tube-well irrigation scheme 1,500 tube-well operators will be employed, who must first obtain the High School Examination Certificate, and they will get Rs.25 to Rs.35 per month. This will relieve the unemployment problem to a great extent. With these few words, Sir, I move my motion.

***Mr. C. Y. Chintamani :** Sir, there are a few points which I have to bring to the notice of the Hon'ble the Finance Member under the cover of this cut motion in regard to the entire head. The very first thing which I have to say is that no copy of the last Irrigation report has been made available to members. I made inquiries a few days ago from the officer of the department and I was informed that it was not yet ready, and that copies had not been received from the Press. But remember, Sir, that when the Industries budget was under discussion I had to make a similar complaint. The Hon'ble Minister gave a reply and holding a copy of the report in his hand said that he had just received an advance copy of the report and that he had warned the Secretary that he should supply me with a copy. He was as good as his word and he sent me a copy that very afternoon. But what did I find inside. I found that a slip was attached by the Government Press to the effect that spare copies despatched to the Secretary to Government, United Provinces, on 6th February, 1936, and yet when the discussion on the Industries budget was going on some time in the middle of March not a single member was supplied with a copy of the report and the Secretariat had been sitting on those copies from 6th February onwards. The Hon'ble Minister himself told us that he had only then received an advance copy of report. I would have made a similar complaint with regard to the report on Excise of which no copy has been received. I have received no copy of the report on irrigation; I have received no copy of the report of the Police Department. I think, Sir, when budget discussions are held in this month, the understanding and expectation are that the latest

***The honourable member has not revised his speech**

Mr. C. Y. Chintamani.]

Administration reports are made available to members in good time to enable them to study these reports and bring up points for criticism. If that is not done these debates lose part of their importance. The latest irrigation report was for the year 1934 which is as old as the latest police report. I hope the Hon'ble the Finance Member with his usual fairmindedness will acknowledge the fairness of my complaint and take steps that henceforward there will be less dilatoriness and more promptitude on the part of the departments in charge to publish reports and to supply them to members.

Next, Sir, I must come to the question of the cost of direction in this budget. A small reduction has been made in the budget provision on the motion of my honourable friend Maulvi Fasih-ud-din. I will make one inquiry about that a little later. We now have three Chief Engineers, Personal Assistants to Chief Engineers, eight Superintending Engineers and one Research Officer. All of them belong to the Indian Service of Engineers and all of them are non-voted. There are seven Superintending Engineers in the present budget and there is to be an increase of one in the coming year. I have looked into the budget for an explanation of this increase and I regret to say that I have found none, just as I find no explanation for other increases of the higher staff. I do not know whether the unpublished Administration Report could possibly contain an explanation and I do not know what explanation the Hon'ble the Finance Member might have to give to this increase in the number of Superintending Engineers. The total amount spent on voted officers does not exceed Rs.66,400 as compared with the cost of non-voted officers, which is nothing less than Rs.3,44,400. I do not know whether a reduction is to be made out of this Rs.66,400 on account of the acceptance by Government of the motion made by Maulvi Fasih-ud-din. Under Assistant Secretary and Superintendent there are two items, one voted and one non-voted. I have a strong suspicion that the reduction is of the voted and not of the non-voted. I may be corrected if I am wrong.

The Hon'ble the Finance Member: The honourable member is quite right.

Mr C. Y. Chintamani: Quite right? So, Sir, I suppose here is one reason why with unusual alacrity the motion for a specific reduction has been accepted by the opposite side. So the money spent upon Provincial Service Officers who are to a certain extent amenable to the control of the House through salaries, had been reduced and the Imperial Service or non-voted salaries of officers have been left intact. My complaint increases and such thanks as I might have been inclined to give either to Maulvi Fasih-ud-din for having made his motion or to the Hon'ble the Finance Member for having accepted it, vanish into thin air. The question of temporary engineers has just been discussed and the Chief Engineer has explained that it was not a part of what could technically be called the hydro-electric establishment. In the hydro-electric establishment there is provision for three engineers and one superintendent. Mr. President, the feeling that comes over me is that there is a spirit of expenditure abroad co-existing with proposals of retrenchment and proposals of taxation. Here is the enthusiast for new taxation. I hope he will now be able to get up and defend his pet Government informed by this spirit of expenditure. I would say to the Hon'ble the Finance Member that he owes the House a

serious explanation of the increase in these high appointments and I have to utter a warning that while at the present moment they are living in an atmosphere of hope that the hydro-electric schemes will yield a harvest of gold, their successors may have to report, as happened on previous occasions in connexion with many such schemes, that realizations have not equalled expectations and that the actual results have been less satisfactory, at least in the region of finance than the authors of those schemes led one to expect.

I would next make an inquiry which I did make in the discussion on hydro-electric schemes earlier this month, but to which I did not then get an answer. It was a point made in the memorandum submitted to Government by the Merchants' Chamber of the United Provinces. The point is—what has been the effect of the development of the hydro-electric schemes upon the general irrigation revenue? Has there been any effect, and has the effect been adverse? I shall be delighted to know that there has been no adverse effect, but I must know it before I can feel a sense of security about the matter.

My last point relates to appointments in the hydro-electric branch. I have before me a memorandum circulated to members over the signature of the Chief Engineer. The memorandum is entitled "The unemployment problem in the United Provinces—the Irrigation Department's contribution towards solution." It begins by a reference to the Unemployment Committee and their observations upon this subject. I have here a copy of the report of the Unemployment Committee. The Committee recognized that due to the development of hydro-electric schemes employment has been found for a substantial number of men who might otherwise have remained unemployed. To that extent it is satisfactory. The information given in the Unemployment Committee's report has been supplemented by this memorandum. I need not take the House over the details embodied in the memorandum. It should suffice to say that under almost every head and in almost every grade of service new employment has been found on adequate salaries for a fairly larger number of men for whom there might have been no provision in the absence of these schemes. So that, not only are the schemes beneficial from the point of view of the agricultural and industrial development of the province, but they have also proved indirectly serviceable to the people by providing remunerative employment to educated persons who might otherwise be wandering in the wilderness. So far it is satisfactory. Any honourable member who would read these three pages of the memorandum would be satisfied that this is so. Now the question that arises is this, and that question has been but only partly answered by the Chief Engineer earlier today. The answer was not complete. Either he might have thought that the question was limited in its scope and therefore the answer was complete so far as the question went, or the reason might be different. I want to know with regard to all the men employed, the communal proportions, and I want further to know how many of them are residents of the United Provinces and how many have been imported from other provinces? In connexion with the race or community of the persons employed, the first question is: how many are non-Indians and how many are Indians? As I have said, he has partly answered this question.

Mr. C. Y. Chintamani.]

But of the higher paid appointments what proportion is Indian and what proportion is non-Indian? Among the Indians who have been employed how many are residents of the United Provinces and how many have been obtained from other provinces, principally I believe the Punjab; and what is the justification for bringing in so many men from another province if there are men available in the province? If the defence be that there are not men available in the province and only to the extent that they have not been able to get suitable men, have men from outside the province been brought in, then I should like to have complete information on the nature of the effort that has been made to find out whether men are available here—whether it was only assumed that it was improbable that so many men would be available here, whether an effort has been made and whether it has been ascertained by actual effort that men were not available and that there was no option to them but to bring the men from other provinces.

My next question is whether fairness and impartiality have been the springs of action with regard to the community to which the various employees belong. Certain figures are given in this memorandum with regard to Anglo-Indians, Indian Christians, Muslims and Hindus—I want that information to be given with regard to all the appointments including the figures of salaries and all other relevant particulars. If the Chief Engineer finds that such details cannot conveniently be given in a speech on the floor of the House, then he might give the information in outline or to the extent necessary to convince us in the course of his speech this afternoon and supplement that by more detailed information in the form of another memorandum such as the one he has recently given us.

I wish to assure the Hon'ble the Finance Member as well as the Chief Engineer that my enquiries are prompted by no spirit of hostility. There are criticisms abroad. During the last two years I have heard them many times. It was my duty to bring these criticisms to the notice of the late Finance Member, Sir Edward Blunt more than once. All those criticisms were conveyed by Sir Edward Blunt to Sir William Stampe and I had replies given by Sir William Stampe through Sir Edward Blunt. But conviction has not yet been infused in my mind. Criticisms outside continue, and I want definitely and finally to be satisfied that without these periodical enquiries from the Chief Engineer and the Government we may remain confident that no injustice is being done to the people of the United Provinces and secondly that no injustice is being done to any particular community in the United Provinces.

These, Sir, are the points which I have to bring to the notice of the Government and I shall wait with great interest for the reply of the Hon'ble the Finance Member and the Chief Engineer.

Rao Sahib Thakur Shiva Dhyani Singh :

راؤ صاحب تھاکر شیو دھیانی سنگھ —

جذاب پریسیدنٹ صاحب — میں راءے بہادر لالہ انند سروپ صاحب
کے کت موشن کو تہہ دل سے support کرتا ہوا یہہ عرض کرونگا کہ انہوں نے
جو گیہوں کی آبپاشی کے charges کو زیادہ بتلا کر ہوس کو معلومات دی ہیں

وہ قابل توجہ و غور ہو س کے ہیں اُن میں سے چند بنیوں میں عرض کرونگا کہ ہو س کو معلوم ہو جاوے کہ گندم کیا چیز ہے۔ یہہ گندمیں چیز کیا ہے؟ جناب یہہ گندمیں وہ چیز ہے جس کو کھا کر آج آپ کے شہر آباد ہیں۔ یا تو زمین پر ہی آباد ہیں یا گندم پر۔ یہی آباد عین گڑوں والے اُس کو پیدا کرتے ہیں اور میمران کونسل اور شہری اُس کو کھاتے اور enjoy کرتے ہیں۔ وہ غریب کسان اُس کو پیدا کرنے میں جس مصیبت کا سامنا کرتا ہے وہ اُسی کا جی جاتا ہے۔ کیا کبھی کسان سے یہی پوچھنا کہ بیانی تم کیا اناج عموماً کھاتے ہو؟

The Hon'ble the President:

مگر ۴½ ہجے کی مصیبت کا بنی خیال رکھیئے۔

Rao Sahib Thakur Shiva Dhyani Singh :

جناب والا — اب یہہ عرض کرونگا کہ کن کن موقعوں پر وہ غریب کسان اُس کو استعمال کر سکتا ہے اگر اُس کے یہاں کوئی تیلوکار یا کوئی شادی یا غمی ہو مگر جناب اس عی پیداوار کے گندمیں کو بیچ کر غریب کسان زمیندار صاحبان کی مالگذاری و لگان و گورنمنٹ کی آبپاشی ادا کرتا ہے بعد فروختگی گندم اُس غریب کے پاس کھانے کو بھی نہیں بچتا ہے۔ آج کل اُس کی آبپاشی کی شرح اس قدر زیادہ ہے کہ وہ واقعی کم ہونے کے قابل ہے۔ جو باتیں رائے بہادر صاحب نے فرمائی ہیں کہ پنجاب کی یہہ شرح ہے، یو پی کی یہہ شرح ہے ومان کی شرح کو دیکھتے ہوئے ہمارے یو پی کی شرح بھی کم ہونا چاہیئے۔ شاید ہوس میں یہہ بھی کہا جائے کہ آج میں کمی کے اوپر اسوقت آیا ہوا ہوں اور آج ہی صبح میں زیادتی کے اوپر تھا بلکہ aeroplane کے اوپر سوار تھا اُس کے متعلق یہہ عرض ہے کہ میرا منشاء experimental ہے تھا جو ضرورت کی چیز ہے اُس پر خرچ کرنا لازمی آجاتا ہے۔ اب کسان کی مصیبت آبپاشی پر منحصر ہے اور اگر کسان کا یہی حال رہا جیسا کہ میں نے ابھی عرض کیا ہے تو اُس کی مٹی خوار ہو جاوے گی اُس کے متعلق میں یہہ عرض کرونگا *

جس کھیت سے دھقان کو میسر نہیں روزی
اُس کھیت کے ہر خوشہ گندم کو جلاو

جب اُس کو کھیت سے روٹی بھی نہیں ملتی تو پھر جو خوشہ یعنی بال اُس سے پیدا ہوا ہو اُس کو جلا ہوا ہی سمجھنا چاہیئے۔ ہم محنت کر کے کھیت میں گندمیں پیدا کریں اور ہمارے ہجے اُس گندمیں کی بال کے واسطے قہر کریں۔ ہاے افسوس جس کھیت کو بچوں نے اور گہر والوں نے محنت کر کے سیج کر طیار کیا ہو اُس کو کسان کے ہجے نہ کھا سکیں بلکہ تمام پیداوار زمیندار کی مالگذاری اور سرکار کی آبپاشی میں چلی جاوے لہذا میں اس کت موشن کی تائید کرتا ہوں کہ شرح آبپاشی کم کی جاوے *

Raja Jagannath Bakhsh Singh: Mr. President, I again wish to put the point I did this morning regarding the Fyzabad scheme. I am glad that since I spoke Sir William Stampe in one of his speeches said

Raja Jagannath Bakhsh Singh]

that the scheme would be in working order by the *Rabi* of 1937. I also understand that after that scheme has been tried the department will consider further extension of the scheme to Sultanpur and other districts. Before I strengthen my point I shall not lose sight of the fact which the previous speaker stated, that he was doubtful about the realization of the expectation from the hydro-electric scheme. He cited opinions from the Merchants Chamber of Commerce. I do not stand here to contradict the opinion expressed by that Chamber or any other Chamber. But so far as I know I think from the point of view of an average farmer, in which the cultivator and the tenant can also be included, I think the hydro-electric scheme will be a success. It is obvious that an average farmer cannot use large implements for agricultural development. Therefore if small implements are utilized they will be more paying and more economic. So in the case of hydro-electric schemes also small pumping plants, small crushers and other small agricultural implements should be used. So long as the charges per unit are reasonable I have no fear that this scheme will not come to the expectation found of it. It is with this view that I ask that the Government should force the pace of development of hydro-electric scheme. When I say this I particularly wish to put the case of those districts which are comparatively very suitable for intensive cultivation. I think from the point of view of development of agriculture and also from the point of view of profit to be made by the cultivation of land it is best to start the scheme in those districts first where circumstances may be suitable for more intensive methods to be applied. The districts that are to be covered by the proposed pumping scheme are those at Sultanpur, Fyzabad, Partabgarh and Rae Bareilly which lie in the centre of these provinces and where agriculture is practised by methods of comparatively more intensive cultivation than in other eastern parts. I therefore think that the case for those districts to be covered by this scheme is much stronger than others.

In pressing for the extension of hydel schemes I do not mean to suggest that the Sarda canal that has been introduced in certain districts of Oudh is not being worked efficiently or that it is due to the indifference of the authorities that the people cannot derive full benefits out of it. On the other hand I think the Sarda canal is being run very efficiently, and that the authorities are as sympathetic towards the interest of the agriculturists as we expect them to be. I fully support the reference made by the Member in charge in his opening speech when he paid a tribute to the subordinate staff of the Irrigation Department. It is my personal experience that in a part of my own district where for a considerable time the need for extending the minor was not realized by the subordinate staff and when the matter was fully represented to the superior authorities very sympathetic and prompt action was taken, and the result was that they constructed a minor and a gul which can be classed as a second-class minor in such a small span of time that people concerned could never expect. The earth work that was done within six weeks was such which perhaps any private agency could not do in less than three months and the minor was not less than perhaps 6 furlongs long and the gul which could be classed a second-class minor of not less than another 6 furlongs was

constructed in about six weeks. After the rainy season the earth work was started and water could be supplied for the irrigation of wheat crop in November. In this connexion I must mention the admirable energy and industry with which the overseer concerned completed this bit of work. Sir, it is not in the spirit of a profound admirer of Government or a *pujari* in the shrine of the department that I say so. It is after practical experience, that I say so and as one whose chief duty is to criticize the Government whenever there is a reasonable opportunity for that. But there is no reason why I should withhold my tribute which is due to the department. I therefore fully share the views of those honourable members who think that the department—particularly the Sarda canal section of which I have practical experience—is doing very useful work and with efficiency and sympathy which we expect. So, Sir, although I have such high opinion of the working of the department still the necessity for hydro-electric extension exists unabated for the districts and portions of districts mentioned by me deserves prompt and early attention of the Government and the department.

Shaikh Muhammad Habib-ullah : Sir, I am one of those unfortunate landowners who live in a tract which has not yet been touched either by the Sarda Canal or by the hydro-electric scheme. In fact, I was going to speak about the introduction of tube-well system through steam power in the districts so far not touched, like the Bara Banki district, but I am glad that my friend Raja Jagannath Bakhsh Singh has said so, though not in the direct way in which I am putting it. Now, Sir, the Leader of the Opposition, for whom I have got great respect has said that I am one of those who believe in this scheme as a harvest of gold. I think Sir William Stampe will bear me out that I am a person who from the very beginning till very recently have been telling him that I expected almost no harvest and that the expenditure of money may be an absolute waste. But I always stand to be convinced. I criticized him first as a non-financier and a bad businessman, and again criticize him for having ignored one of the great facts that he had not satisfied us whether the sub-soil might affect the adjoining wells after so many tube-wells had been installed and as a consequence of my criticism Government had to appoint a committee of experts and obtain their report. It was not till then that I was satisfied that there is no fear of any sub-soil water being run short. Now, Sir, many thanks to the Leader of the Opposition who has recommended me today for being a pet of the Government, as his recommendations have far-reaching results. I therefore hope, Sir, that from today I will be considered as a pet of the Government. I do not know what Government he means—whether the Reserved side or the Transferred side. (*Mr. C. Y. Chintamani: Both*). I do not wish to be a pet of either. Let them try to have me as a pet, but I will not agree to be the pet of either side, nor even the pet of my friend the Leader of the Opposition. I agree with my friend the Leader of the Opposition in having asked for certain information as regards the appointment of people from various provinces. He particularises the Punjab; I include Madras also. If there are any men taken from Madras, I will object in that case as well.

Mr. C. Y. Chintamani : Most certainly.

Sheikh Muhammad Habib-ullah: But as has already been explained by Sir William Stampe in the very beginning this morning perhaps he had to take more men from the Punjab because there is a dearth of suitable men in the United Provinces. He could not get suitable men in the United Provinces because there are very few places for the apprentices who pass out of our engineering institutions to learn practical work; while in the Punjab there are so many factories where people have got chances to learn practical work. I do not think Sir William Stampe has eaten the salt of the Punjab even for a day; he has been throughout his service attached to the United Provinces and there is no reason for people to think that he is inclined more towards the Punjab than towards these provinces. I do not think he even goes out shooting in the Punjab. He does all his shooting of which he is very fond in the United Provinces. There is hardly any tiger in the Punjab which he could shoot. Unlike the Leader of the Opposition I am not very anxious to put any question about the communal proportion. That is always a very very sore subject, but I know, constituted as we are and the orders of Government being what they are, Government officials happily or unhappily, pleasantly or unpleasantly have got to think of it and I hope communal considerations will soon die out of our ideas in this House and in the minds of the Government officials.

Chaudhri Dhira Singh :

चौधरी धीर्यसिंह—

जनाबवाला,

मैं राव साहब, ठाकुर शिवध्यान सिंह की तारीफ करते हुए आवपाशी के मुतल्लिक कुछ अर्ज करना चाहत हूं। ज्यादा अर्सा नहीं हुआ, २-३ साल की बात है, कि हम ज़मींदारान जिस तरीके से मालगुजारी का रुपया वसूल करते हैं उसी तरीके से आवपाशी का रुपया भी वसूल किया करते थे। लेकिन आवपाशी के ज्यादा बढ़ जाने की वजह से हम लोगों ने उसकी वसूली में बहुत सो मुसीबतें पेश आई और मजबूरन हमको आवपाशी का रुपया वसूल करना छोड़ देना पड़ा। जिस वक्त हम लोग मालगुजारी और आवपाशी दोनों वसूल करते थे उस वक्त काश्तकार यह करते थे कि वह मालगुजारी तो अदा कर देते थे लेकिन आवपाशी का रुपया नहीं अदा करते थे क्योंकि उसमें बेदखली नहीं होती। जब हम लोगों ने परेशान हो कर रुपया आवपाशी वसूल करना छोड़ दी तो सरकार ने यह इत्तिज़ाम किया कि इसके वास्ते खास आदमी मुक़र्रर कर दिये और अब इसकी वसूली में चूंकि कुर्की कर लेते हैं इस लिये काश्तकार पहिले आवपाशी का रुपया दाखिल कर देते हैं और मालगुजारी रह जाती है। लिहाज़ा ज़मींदारों के हालत बहुत नाज़ुक हो रही है कि क्या करें और क्या न करे सुना जाता है कि पहले ज़माने में खेती बटाई पर हुआ करती थी काश्तकार लगान के बदले खेत का अनाज देते थे मेरी राय में अगर अब भी ऐसा ही सिस्टम कायम कर दिया जाय तो मुनासिब हो कि हम लोग काश्तकार से अनाज लिया करें और गवर्नमेंट को भी अनाज दिया करें।

Rao Sahib Thakur Shiva Dhyani Singh :

रुपया क्यों न दाखिल किया जाय।

Chaudhri Dhirya Singh:—अब रुपया वैसा ही कम होता जाता है। वा फिर गवर्नमेंट यह करे कि इस आबपाशी को कम कर दें क्योंकि इसकी ज्यादाती से हम परेशान आगये हैं और वह पता नहीं चलता कि हमारी यह परेशानी हमको कहाँ ले जायगी। इस मसले को रिकार्ड आरम का मसला समझना चाहिये न कि ख़रोद फ़रोख़ का लिहाज़ा में अपोल करता हूँ कि लगान आबपाशी कम करदी जाय।

Khan Bahadur Maulvi Fasih-ud-din: The question of reducing the water-rates is, I admit, one of the most ticklish questions of the day. On the one hand we have to look to the fact that the Irrigation Department is one of the most useful departments that the British rule has brought in its train. It supplies the lifeblood of the mass of agriculturists, and several taluqdar friends of mine have been telling me only this morning that in the tracts of their taluqa in which there is canal irrigation, they can collect cent per cent. rent while in the remaining tracts the arrears are heavy. That fact very clearly shows how beneficial is this department. On the other hand we have to look to the condition of the producer of the crop specially in these days of unprecedented slump in prices.

Some time ago I compared the various water-rates which were prevailing for various crops in other provinces with those prevailing in our province and I came to the conclusion that while some of the rates in the other provinces for some crops were higher, in the case of other crops they were lower. Thus I could not come to any definite conclusion as to what should be the criterion for reducing our rates. I think that there is some basic and radical defect in the system of levying these rates. The water-rates are levied on the land so much per acre. Thus the same rate is charged for an acre of sandy land as it is charged for an acre of *gauhan* land which is near the village site. That makes all the difference of the world. A man who cultivates an inferior kind of soil has to pay the same rate for his wheat or sugarcane crop as a man who cultivates a more superior kind of soil and for which he pays a much higher rate of rent. Look at the various parts of this province. As I have said often and often, in the eastern districts the rates are as low as Rs.3 or Rs.4 per acre, while in the western districts they go up to Rs.10 or Rs.20 per acre, but the canal rates are the same all over the province, and they are the same for all fields, whether poor or superior in soil. There arises a difficulty in the collection of these rates by the zamindars and by the Government itself. I tried to collect these rates in my own villages of Shahjahanpur for a number of years, and I noticed that the tenants holding a poor class of land always found it difficult to pay the canal rates. I think that when the Government revises the scale of these rates, as has been promised by the Hon'ble the Finance Member, it will also undertake this fact into consideration and try to evolve some sort of method for fixing these rates.

Another point has been raised by the Leader of the Opposition about the recruitment of engineers from the Punjab and from our own

Khan Bahadur Maulvi Fasih-ud-din.]

provinces. I do agree with him when he says that the residents of these provinces should be given preference over the residents of the Punjab, but at the same time I am of opinion that in a department which requires men of expert knowledge we should not go too far in connexion with our spirit of provincialism. My own experience is that the Punjab people are eminently fitted for work of this kind and many of them who have been recruited in the past have shown such splendid work that they have earned our lasting gratitude for it. So I believe that we should not very much insist on the recruitment of the residents of these provinces to the exclusion of the Punjabis altogether, but at the same time I think that for other posts we should not have men from outside. We should have this staff, as far as possible, from our province.

I should like to bring out one more point, and it is this. The Sardar canal section has recently increased its rates and brought them up to the level of the Ganges canal rates. I do not grudge the Sardar canal for this action, because the low rates that were fixed in the beginning were shown to be temporary once, but, Sir, I certainly would like Mr. Anderson to develop and expand the activities of his canals further.

I find that there is now a tendency not to construct new minors, not to increase the activities of the Sardar canal but to restrict the expansion of the activities to the furnishing of more kolabas. If my information is correct, I would submit that this is a very wrong idea and unless the Sardar canal expands its activities in the shape of the extension of the minors and the other branches of the canal, this part of the department will not be so useful as one would wish it to be.

Sir William Stampe; Sir, with the honourable members' permission I will leave the answering of the questions about water-rates on the canals, raised by various members, to the Hon'ble Member in charge of my department.

Dealing with the honourable Leader of the Opposition's remarks, I would first of all assure him that for next year, i.e. the Administration Report for 1935-36, we will take steps to ensure that the report should be in the possession of the members of the House by the end of December so as to give them about two months to digest it before the March budget debates. I cannot at the moment explain why this was not done earlier this year. Possibly it was due to the document being much more comprehensive owing to the larger activities of the department and thus taking the various members of the staff longer to write.

My honourable friend next raised the question of the large increase of staff in the establishment budget for the coming year, and he referred particularly to the Direction staff, i.e. the increase in the Chief and the Superintending Engineers from two to three and six to eight respectively. In answer to a question earlier in the day, when the honourable the Leader of the Opposition was not present, I had endeavoured to explain how this increase in the Direction staff had arisen. I will explain it very briefly again. Hitherto we had two Chiefs and six Superintending Engineers. The increase is due to the

earlier completion of the Hydro-electric scheme, i.e. its total completion in the year 1937-38 as is now contemplated, together with the total completion of 1,500 tube-wells. These constitute a system of irrigation with a volume of water more than two-thirds as large as the low discharge of the Ganges river. That is to say, we shall have within two years a new system of irrigation delivering on to the ground more than two-thirds of the minimum amount of water which the Ganges canal at present contributes to the province. That scheme is to be completed, with the unanimous assent of the House, which was accorded last June, by the end of 1937. I ask the House whether it is extravagant that with the two schemes of that size, i.e. the Hydro-electric scheme giving 23,000 kilowatts, the tube-well scheme as well as the additional irrigation scheme in the east of the province, these additional posts should be sanctioned. In view of the large additions to the provincial assets, both in revenue and crop yield, I do not think the House will consider it extravagant that we should have for a period of two or three years an additional Chief Engineer to administer these schemes all over the province.

As regards the two Superintending Engineers, the House fully agreed to one last year—that was in March. In June we doubled the rate of construction of the tube-well scheme with the unanimous consent of the House. That involved the immediate construction of 750 more tube-wells and thus the Superintending Engineer, Khan Bahadur Abdul Aziz, whom we all know, could not possibly look after the construction of 1,500 tube-wells in two years in addition to the Fyzabad scheme. He also has to assist the zamindars of the west with their own private tube-well developments. He constantly had to keep travelling from Fyzabad to Muzaffarnagar over eight districts in which more than a crore of rupee was being spent; he was being worked to death. So we asked Government in July last after the Council had approved the acceleration of the scheme, to sanction a second Superintending Engineer, possibly for a period of two years. By that time I gather the House will have the whole scheme under its own control, and I imagine when the time comes they will see that these posts are reduced if not required. But for the moment I assure honourable members that all these officers are working not six days in the week but all seven days. They are out on works every day and are not sitting at headquarters or in Lucknow. I appeal to the House to accept these highly necessary appointments.

The rest of the staff, the junior men, are proportionate to the increase in the scheme. An overseer for instance cannot look after more than 25 tube-wells and thus we had to have 60 new overseers. Similarly, we have had to employ 10 more Sub-divisional Officers, and if any honourable member cares to go through this establishment estimate with me, I can undertake to convince him that the increase in the establishment is less than proportionate to the increase in the scheme. That is to say, everybody will have to work a little harder than he did before, in order to complete the scheme taking into account the larger number of tube-wells. I trust this reply will be satisfactory to my honourable friend.

[Sir William Stampe.]

He then asked what assurance the Government could give as regards the effect on the Ganges Canal revenue of the Hydro-electric scheme. The Hon'ble the Finance Member told the House this morning that the Irrigation Department had contributed 17½ lakhs of additional revenue in the past year. That was partly due to the extra amount of water pumped into the canals by the electric scheme and I can assure the House that the increased additional revenue on the canal system will continue to accrue from the Hydro-electric scheme.

Turning to the question of appointments, I must acknowledge the courtesy of the honourable the Leader of the Opposition in letting us know that he was going to raise this particular point and in allowing us yesterday to have certain information collected as regards not only communal representation on these new posts, but also the domicile of the various incumbents. I have been only able during the last 24 hours to produce a statement as regards the officers, but I will undertake to supply full information both as regards the domicile and also communal origins of the incumbents of the new posts. Several thousand posts have been created and information with regard to these will be furnished as a supplement to the note on unemployment. We undertake to do this.

As regards officers, Sir, out of a total of 32 new posts in the Hydro-electric scheme, 5 are held by non-Asiatic, that is European officers, who were recruited in the early days of the scheme. This was due partly to teach the young local Indian officers about hydro-electricity of which at that time there was no large instance in this province. Of the rest 21 are held by Hindus, 2 by Muslims, 3 by Anglo-Indians and Indian Christians and one by a Sikh. We have done our best by public advertisement, and also through private inquiries to individuals, to raise the number of Muslim Engineer recruits without success, but we will undertake to continue to do so.

As regards the domicile, out of the 32 officers 5, as I say, are non-Asiatic, 16 are from the United Provinces and 11 are from outside the United Provinces. That is to say 16 out of 27, or over 50 per cent. of our electrical officers are local residence and 11 are mostly from the Punjab. The reason of that, Sir, is that, as I explained this morning, it is very difficult to get United Provinces Engineers, who have had sufficient practical training, and to overcome this as I said, we have made it a condition with the firms who supply plant, etc. that they will train so many of our United Provinces engineers. These trained men will fill up some of these and other posts as they become vacant. I do not think, therefore, that in the future the same difficulty is likely to arise. I trust the House will appreciate our difficulties in recruiting 32 engineers in a province where there were very few practical engineers available.

In the subordinate service, out of 16 electrical subordinates 16 are residents of United Provinces that is cent per cent.

As regards the Irrigation staff of tube-well operators, out of 800 who have been recruited, over 750 belong to United Provinces, that is, over 90 per cent. are United Provinces men and out of those about one-third are Muslims and two-thirds are Hindus. So the position as regards tube-well operating staff is I think, fully satisfactory.

The honourable Raja Jagannath Baksh Singh asked certain questions as to the date of completion of the Fyzabad scheme which I have already answered. We expect to be reaching completion by the *rabi* of 1937-38. As regards the return from the Hydro-electric scheme which he mentioned, the question was fully dealt with, as the House knows, by an expert committee, which sat last November and which has already published its report. They pronounced that our estimates are satisfactory and are likely to be realized. We are budgeting under the Hydro-electric scheme for a surplus to the province of about two lakhs for the coming year.

As regards the question of extending the Sarda Canal in the Bara Banki District which was raised by the honourable Shaikh Mohammad Habib-ullah we now propose to study the possibility of pumping water into the Sarda canal in districts where tube-wells can be installed and carrying that water down through new distributaries into the Bara Banki, Sultanpur and Partabgarh areas and I believe that such a scheme would yield good results. Various questions were raised by honourable members of the Mainpuri District which I could not quite hear. They largely dealt with water-rates and supply of water. I can assure the honourable members for Mainpuri and Aligarh districts that the six lakhs' scheme which the House sanctioned in November last and which will be completed before the end of the coming year will be able to deliver three hundred additional cusecs of water to the Muttra, Agra and parts of the Aligarh districts. This water has been partly found by Hydro-electric tube-wells which have been installed on the banks of the Ganges canal in Meerut. That scheme is now being carried out and will be completed during the next monsoon.

The Hon'ble the Finance Member: My honourable friend, Sir William Stampe has dealt with most of the questions that have been raised on this last cut motion. He has left for me the very vexed question of water-rates. But before I pass on to that I would like to say one or two words with regard to the criticisms that have been made on the subject of the increased cost of establishments in certain directions. Now, Sir, it is inevitable that if any scheme of this kind is accelerated or expanded, then the staff needed to accelerate and expand it should be paid for. That is a condition precedent to the work being done and I think, Sir, it is rather unreasonable to adopt a critical attitude with regard to increased establishment charges. My friend the Leader of the Opposition called attention to the diversity between the non-voted and the voted establishment. That, Sir, is a state of affairs which time will cure. It is not any use calling attention to the diversity which is inevitable in the service, constituted as it is at present. The higher ranks must be largely composed for the time being of non-voted officers.

Now, Sir, I will pass on to the question of canal rates. I mentioned three days ago that Government are giving this matter careful consideration. We have been considering it since the last hot weather. But there have been, as honourable members of the House are well aware, a number of other important matters to claim our prior consideration. We have had recently to deal with the whole problem of settlement which has taken up a great deal of our time this cold weather.

The Hon'ble the Finance Member.]

We had also to settle the rates to be charged for tube-well water before we could consider the connected problem of canal rates. The question of tube-well rates has been decided. We are now faced with the question of canal rates and I assure the House that we shall without any further delay take it up and I hope to decide it at an early date. It is a troublesome question as my friend the honourable member for Budaun has stated.

The Hon'ble the President : I think we might defer the consideration of the question if it is a troublesome one: it can be taken up later. It is half past four now. The original demand was for Rs.51,58,989, since when the Council has carried a cut of Rs.6,700. The question is that for this head a sum of Rs.51,52,289 be granted.

The question was put and agreed to.

(The Council was then adjourned till the following day.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Wednesday, 25th March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (87)

The Hon'ble Mr. J. M. Clay.	Rai Bahadur Babu Jagadewa Roy.
The Hon'ble Kunwar Sir Maharaj Singh.	Mr. Dahari.
The Hon'ble Nawab Sir Muhammad Yusuf.	Rai Sahib Rai Rajeshwari Prasad.
The Hon'ble Sir Jwala P. Srivastava.	Thakur Giriraj Singh.
Mr. H. Bomford.	Pandit Prem Ballabh Belwal.
Mr. J. L. Sathe.	Thakur Jang Bahadur Singh Bisht.
Mr. A. B. Reid.	Pandit Brahma Dutt Bajpai.
Mr. P. M. Kharagat.	Rai Bahadur Thakur Hanuman Singh.
Mr. A. A. Waugh.	Rai Bahadur Lal Sheo Pratap Singh.
Rai Bahadur Mr. Phul Chand Mogha.	Thakur Muneshwar Bakhsh Singh.
Mr. Hafazati Hussain.	Raja Jagdambika Pratap Narayan Singh.
Mr. H. J. Frampton.	Raja Birendra Bikram Singh.
Rai Bahadur Pandit Brij Chand Sharma.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. Himmat Singh K. Maheshari.	Mr. C. Y. Chintamani.
Khan Bahadur Munshi Mushtaq Ali Khan.	Rai Rajeshwar Bali.
Mr. Pratap Shankar.	Mr. Zahur Ahmad.
Rai Bahadur Ram Babu Saksena.	Syed Ali Zahoor.
Mr. A. N. Sapru.	Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Mr. A. C. Turner.	Khan Bahadur Shah Nazar Husain.
Mr. R. A. Horton.	Captain Nawab Muhammad Jamshed Ali Khan.
Lady Kailash Srivastava.	Nawabzada Muhammad Liaquat Ali Khan.
Khan Bahadur Maulvi Fasih-ud-din.	Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan.
Rai Sahib Babu Rama Charana.	Khan Bahadur Muhammad Hadiyar Khan.
Mr. Perma.	Khan Bahadur Shaikh Ghulam Husain.
Rai Bahadur Babu Awadh Bihari Lal.	Khan Bahadur Saiyid Jafer Hosain.
Chaudhri Ram Dayal.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Jagannath.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Chaudhri Baldeva.	Khan Bahadur Sirdar Muhammad Shakirdad Khan.
Rai Bahadur Sahu Jwala Saran Kothiwalla.	Khan Sahib Muhammad Imtiaz Ahmad.
Mr. Tappu Ram.	Shaikh Muhammad Habib-ullah.
Chaudhri Ram Chandra.	Raja Saiyid Ahmad Ali Khan Alvi.
Chaudhri Ghasita.	Rai Bahadur Lala Anand Sarup.
Chaudhri Arjuna Singh.	Chaudhri Muhammad Ali.
Rao Bahadur Thakur Pratap Bhan Singh.	Rai Bahadur Lala Prag Narayan.
Rao Sahib Thakur Shiva Dhyan Singh.	Raja Bisheshwar Dayal Seth.
Rai Bahadur Kunwar Girwar Singh.	Raja Jagannath Bakhsh Singh.
Chaudhri Dhirya Singh.	Mr. E. M. Souter.
Rai Bahadur Kunwar Dhakan Lal.	Rai Bahadur Vikramajit Singh.
Rao Bahadur Kunwar Sardar Singh.	Munshi Gajadhar Prasad.
Rai Bahadur Babu Manmohan Sahai.	
Rai Sahib Babu Kamta Nath Saksena.	
Kunwar Jagbhan Singh.	
Rao Narsingh Rao.	
Rai Sahib Ram Adhin.	
Mr. Bhondu Ram.	
Rai Govind Chandra.	
Pandit Shri Sadayatan Fande.	
Raja Sri Krishna Dutt Dube.	

MEMBERS SWORN :

1. Rai Bahadur Pandit Brij Chand Sharma.
2. Mr. A. N. Sapru.

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Munshi Gajadhar Prasad.

MEMBERS SWORN :

1. Rai Bahadur Pandit Brij Chand Sharma.
2. Mr. A. N. Sapru.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

GRANT TO EAST INDIAN RAILWAY A.-V. HIGH SCHOOL,
TUNDLA

*1. Pandit Joti Prasad Upadhyaya (*absent*): Will the Government be pleased to state the amount of annual grant-in-aid given to the East Indian Railway A.-V. High School, Tundla? What was this amount in 1934?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava):

					Rs.
In 1935-36	...	...	...	...	8,556
In 1934-35	...	...	...	...	7,200

*2. Pandit Joti Prasad Upadhyaya (*absent*): Why has the existing grant been reduced?

The Hon'ble the Minister for Education: Does not arise.

*3. Pandit Joti Prasad Upadhyaya (*absent*): Since when has this school been receiving grant-in-aid from the department of Education?

The Hon'ble the Minister for Education: 1890-91.

*4. Pandit Joti Prasad Upadhyaya (*absent*): Have the school authorities resolved to abolish the teaching of Persian and Sanskrit as optional subjects in this school? If so, why?

The Hon'ble the Minister for Education: Yes; as a measure of economy and few students took these subjects.

*5. Pandit Joti Prasad Upadhyaya (*absent*): (a) Did the public of Tundla send a memorial to the Director of Public Instruction regarding this? If so, what action was taken on it? If none, why?

(b) Did the Government as a result of this memorial write to the school authorities asking them not to abolish the teaching of these subjects?

(c) If not, what action, if any, have the Government taken in this matter?

(d) If none, do they propose to take any action now?

The Hon'ble the Minister for Education: (a) Yes; the Inspector of Schools was asked to forward a report which is under consideration.

(b) }
(c) } Do not arise.
(d) }

*6. Pandit Joti Prasad Upadhyaya (*absent*): Did the School authorities employ an Urdu teacher on Rs.75 per mensem in place of a Hindi teacher who retired owing to having attained the age of 55? Should this new teacher have started on Rs.40? Was he given a start of Rs.75 per month?

*7. Have the teachers of Persian and Sanskrit been given any notice dispensing with their services from April 1936 ?

*8. Why has this been done and why were their services not retained till the end of the session ?

The Hon'ble the Minister for Education: Enquiries have been made.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: With reference to question no 4, when did the school authorities resolve that the teaching of Persian and Sanskrit be abolished ?

The Hon'ble the Minister for Education: I am afraid I have not got the date with me here.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: What was the number of students taking these subjects in the School ?

The Hon'ble the Minister for Education: I am afraid I have not got all that information here. If the honourable member will give me notice I will get it for him.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: With regard to question 5(a), when did the Inspector of Schools forward his report ?

The Hon'ble the Minister for Education: I can tell the honourable member about this later on. It is all in the file here; I cannot give this information straight away.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Is the report under the consideration of the Director of Public Instruction or of the Government ?

The Hon'ble the Minister for Education: The report is still under the consideration of the Director of Public Instruction, who is also the Deputy Secretary to Government, Education Department.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Will the Government be pleased to place a copy of that report on the table ?

The Hon'ble the Minister for Education: I am afraid I cannot straight away agree to this, but will look into it and if I can lay it on the table I will do so.

*9-11. **Chaudhri Jagarnath:** [*Postponed.*]

THE BUDGET 1936-37 : DISCUSSION OF DEMANDS FOR GRANTS—(*continued*)

GRANT NO. 25. 26—POLICE

The Hon'ble the Home Member: Sir, I beg to communicate to the Council the recommendation of His Excellency the Governor that under

[The Hon'ble the Home Member.]

the head " Police " a sum of Rs.1, 55,52,326 be granted and I move that this sum be voted.

The last occasion on which the Police budget demand was discussed was on 14th and 15th March 1934, when my distinguished predecessor, the Hon'ble Kunwar Jagdish Prasad, in his opening speech referred to the Police portfolio having been continuously held by an Indian Member of the Executive Council since the inauguration of the present system of Government. He spoke in high terms of the continuous improvement in the morale and discipline of the force. While admitting that the police continue to meet with criticism, he bore testimony to the sense of responsibility which had guided the Legislative Council in dealing with the voting of grants. In referring to a gratifying decrease in the number of dacoities, he advocated the necessity for a sustained effort to effect further improvement and remarked that if more efficient work was desired from the police, it was necessary to spend more money on the department. I think that the history of the last two years furnishes proof that the efforts of the force have at least in certain directions been rewarded with success. Let me mention, for instance, the problem of dacoity. I am of opinion that dacoity is not only a particularly cruel form of crime but is an economic evil. It is cruel since it is often accompanied by violence against defenceless villagers and, inasmuch as it inspires fear among the more well-to-do classes living in rural areas, it affects the economic progress of the countryside. Nobody is anxious to improve his house or his belongings or his standard of living if he has that feeling of insecurity which gangs of dacoits engender. It is gratifying to find that during the last two years there has been a marked decrease. In 1933 there were 819 dacoities. This figure dropped to 726 in 1934 and 572 in 1935. Several notorious gang leaders were accounted for during the past year, including men such as Sanchit of Gonda who was shot dead by a circle inspector, Radha Charan now on trial, Potu and Gyani of Meerut, Fateh Singh, Yakub and Suchcha from Agra, Mata Din and Ram Chandra from Fatehgarh, as well as many members of Ranjat Singh's gang of Agra. About 20 prominent dacoit leaders, many of whom had been wanted for years, were arrested in 1935. The number of robberies has decreased from 621 in 1933 to 429 in 1935, while there were over 2,000 less thefts and more than 6,000 less burglaries in 1935 than in 1933. I feel that the police are entitled to their share of credit for these satisfactory figures. The relief given by the fall in the more serious forms of crime, has unfortunately been to some extent neutralized by the regrettable increase in communal tension, which resulted in 13 communal riots in 1932, 9 in 1933, 60 in 1934 and 31 in 1935. For several years the necessity for deputing large bodies of police as a precautionary measure during important festivals has imposed a very trying duty on the force. Few of us realize the difficult circumstances in which the members of the Force and especially the subordinate police are placed in times of communal tension. It is relatively easier for us, who are educated to restrain our feelings and to try to see the other man's point of view than it is for illiterate or semi-literate constables when for instance a temple or a mosque is outraged or members of other creeds are assaulted merely because they happen to belong to a different faith. As a result of long experience I can say with confidence that on the whole both the police

and magistracy betray little or no communal bias in the actual discharge of their official duties during times of communal trouble. Whatever the reason or reasons for the presence or even increase of communal feeling, there is no doubt of the existence of the problem and the extreme desirability of a solution. I should like to appeal to the members of the Council and through them to the public at large for a serious consideration of what is an obstacle to the progress of this country. The press exercises an increasing influence in India and I feel that one direction in which editors and correspondents could help would be by presenting during or after a communal disturbance both sides of the case. Could there not be, I throw this out merely as a suggestion on such occasions a Hindu and a Muslim local correspondent for each responsible newspaper? At least the public would have the satisfaction of knowing both sides of a case. As regards the general discipline and morale of the police, while in a force of over 30,000 men it is inevitable that there should be a number of black sheep, I do not think that anyone will seriously challenge the contention that there has been during the past twenty years an improvement both in the integrity of the force and in its attitude towards the general public. This is what my honourable friend, the Leader of the Opposition, Mr. Chintamani, said in a speech by him in this Council on 14th March, 1934, "I believe that taken as a whole there is much less corruption in the Police department than there used to be, as there is much less resort to measures of torture than there was some years ago. I candidly acknowledge the improvement taking place in both these respects." On the same day Rai Bahadur Vikramajit Singh, another able and friendly critic, stated : "It must be admitted also that things have certainly improved during the last few years. They are not quite so bad as they used to be at one time." Shaikh Muhammad Habib-ullah, once a distinguished official, has said much the same thing. It is possible that this improvement is in part due to the great increase in literacy among the rank and file and the recruitment of better educated sub-inspectors. Honourable members may be interested to know that the number of literate constables in 1935 was 19,805 out of a total of 31,249, the percentage being far in excess of the figure for 1921. I think too that the press as well as increasing self-respect in the Indian public as a whole are also responsible.

Last but not least I recognize that the
by questions and resolutions in this House
am not one of those who believe that m
defended at all costs, and I assure the H
Inspector General of Police will do what they can by
by stringent action against delinquents to put down corruption. During
the past two years 140 officers and men including seven sub-inspectors
have been punished for offences in which corruption was established or
implied. On questions of general experience it is difficult to cite facts
and figures but it is gratifying to read in the newspapers from time to
time of acknowledgments of services rendered by the police. Quite
recently we had in a letter to the *Leader* from the Secretary of the Kasht
Nivarak Samiti an altogether unsolicited testimonial about the excellent
work of the police and their courteous behaviour during the last Magh
Mela in Allahabad. Again during the last two years though 14 civil
suits were instituted against police officers, in only two of them were

[The Hon'ble the Home Member.]

the police found at fault. In 1935 officers and men of the U. P. Police received one O. B. E., two M. B. E.'s, two Bars to the King's Medal, one King's Medal, one Bar to the Indian Police Medal, eleven Indian Police Medals and seven Indian titles. My object in citing this testimony is not to establish a claim to perfection or even to the existence of very high standards of conduct, but we do claim that improvement has taken place. Improvement, however, which is restricted to the remedying of abuses is of a somewhat negative nature and honourable members may ask what positive action has been taken to meet suggestions made by them in this Council in recent years. Well, Sir, complaints have been made from time to time that the Indianization of the higher ranks has not been sufficiently rapid and that Indian officers are not posted to the larger districts. As this House is well aware the holding of senior and superior posts must depend largely upon the seniority of the officers appointed to them. In 1921 there were only five Indian officers out of a total of 113 officers of the Indian Police of these provinces. In 1932 out of 102 officers of this service 31 were Indians. In the course of 1935 no less than 28 districts were in charge of Indian Superintendents. Of the more important charges the post of Assistant Inspector General in the Railway Police is held by an Indian officer and one of the posts of Assistant to the Deputy Inspector General in the Criminal Investigation Department has for several years been held by another Indian officer. There have been Indian Superintendents of Police in Allahabad, Benares and Jhansi. One Indian officer, Mr. Kazim Raza, has been recently appointed Superintendent of Police in Benares. It would of course be both inequitable and wrong not to appoint a European officer to the post for which he is the most suited merely because he is not an Indian as it would be not to post an Indian to such a charge because he is an Indian. In these matters the present Government are and I have no doubt its more democratic successor will be, actuated solely by the respective merits of their officers.

I shall now refer briefly to some of the other steps which we have taken as a result of discussions in this House during the last two years. Since 1933 we have restored 30 posts of circle inspectors and 1,000 posts of village chaukidars. During the budget debate of 1934 the question of the period for which sub-inspectors should remain in charge of a police station was discussed. Our regulations which already prescribed a minimum period during which a station officer should ordinarily be kept at one thana have been amended so that no officer will now ordinarily be allowed to remain for more than five years in continuous service in the same charge. I now turn to the Police Training School. Honourable members will remember that in 1933 it was suggested that the course of training was too long and that the burden of work was excessive. A committee was appointed later in that year to examine the curriculum and the system of training in force at the Police Training School, and as a result of their recommendations the course of training for sub-inspector cadets has been reduced from 18 months at the school to a period of 12 months to be followed by six months of practical training in the districts during which cadets receive a stipend of Rs.35 a month. The curriculum is also being revised. In 1933 it was suggested by some honourable members that graduates in law should be recruited for the posts of prosecuting inspectors and sub-inspectors. The regulations have since been amended and graduates in law who aspire for

appointment as prosecuting inspectors are now required to spend a period of only two years instead of three years under training as investigating officers and will in future be given preference in appointment as prosecuting sub-inspectors over other sub-inspectors whose legal qualifications are inferior to theirs. Further in deference to the feelings of the House as expressed in the resolution adopted by it in July, 1935, not only have the Police Regulations been amended in such a way as to make it clear that there is no bar to the enlistment of members of the depressed classes, but the necessity for taking practical steps to implement that resolution has been emphasized with the result that, while not long ago there was hardly a member belonging to the depressed classes in the rank and file of the police, in February, 1936, there were no less than 63 members of the depressed classes and 98 members of the backward classes in service in the force.

I now come to the question of expenditure. Mr. Peters of the Indian Police was appointed last year to examine the question of permanent economies in the police. Government are grateful to him for his hard and useful work which under the direction and guidance of the Inspector General of Police resulted in the submission of proposals at the end of last month recommending permanent retrenchments of ultimately about four lakhs of rupees. In the budget now presented no account has been taken of these proposals for the simple reason that Government have not yet considered them. We do not yet know to what extent they can be brought into effect during the coming financial year or in future years, nor are we able to indicate under what heads or sub-heads reductions will be possible. In these circumstances the budget which had to be prepared well before the end of the current financial year has been prepared on the same lines as that of last year. Honourable members, however, may rest assured that Government will take every step to secure an early introduction of some at least of the proposed economies and will further see that not a rupee more than is essential will be spent. They may be more convinced of the value of this assurance if I quote the Accountant-General's report on page 128 of the Appropriation of Accounts for 1934-35 where he has remarked that "the department has maintained its high standard in the matter of control over expenditure." At this stage I can only give a very general outline of the directions in which the Inspector General expects to effect economies. Honourable members will appreciate that any reduction in expenditure, if it is not to be temporary or insignificant, must follow from some important reorganization. The main lines of the proposals for retrenchment therefore pre-suppose some initial expenditure in order to make possible the redistribution of the police in the larger cities by the construction of a number of large outposts and the abolition of a number of smaller outposts, combined with an extended use of telephones, patrol cars and bicycles. From reorganization on these lines it is hoped by the Inspector General of Police to save about one lakh of rupees annually. The figure is approximate only. A further substantial sum is expected to be saved by a reduction of the rates of special allowances given to the police in certain cities. These allowances were originally given on the ground of the increased cost of living at such places. The increased cost of living is a fluctuating factor and, as the allowances were determined at a time when this factor was high, it is reasonable to make these allowances

[The Hon'ble the Home Member.]

fluctuate with the cost of living. If prices rise again to an appreciable extent the reduced allowances would have to be restored. A further sum estimated at about Rs.45,000 is expected to be saved by an increased use of lorries in order to decrease charges on account of travelling and halting allowances. In addition to the foregoing there are other directions in which, while no retrenchment can be effected in the immediate future, considerable ultimate savings may be expected. I repeat that Government have not yet considered the retrenchments and are not therefore in a position to state what will be the economies possible in 1936-37 and in succeeding years. All that I need give is an assurance that they will be substantial and permanent. Government are grateful to Mr. Horton for his able and ready co-operation and for the time and attention that he has given to the proposals for retrenchments. It is not unnatural that the Head of a very important department should view with anxiety suggestions for retrenchments, but I can tell the House that, once Mr. Horton was convinced that the unsatisfactory nature of our finances called for an urgent remedy, he responded willingly and effectively to the call.

If honourable members will refer to the budget estimates as presented they will observe that the sum for which I ask is an increase of Rs.88,074 above the sum which was voted last year. This increase results from the interplay of a large number of fluctuating items of which an explanation has been supplied to the House in Volume II of the budget. I need therefore only mention the essential contributing factors. The abolition of the emergency cut, the normal grade promotions and the incremental increases in pay account between them for an enhancement of about Rs.86,000. The rise due to increments in pay is inevitable but its extent will tend to decrease as the new scales of pay introduced in 1931 come into fuller operation. The rest of the increase in the budget estimates is practically accounted for by the provision of Rs 50,000 to cover expenditure which may possibly be incurred in consequence of the enforcement of the Motor Vehicles Taxation Act. This sum is provisional only. Extra staff are necessary in a number of treasuries, but as is explained in Volume II of the budget, any expenditure against this provision will be recouped from the Road Fund under the provision of the Motor Vehicles Taxation Act. It does not therefore represent any charge on provincial revenues, nor should it be regarded as expenditure on the police. There is also a new item of Rs.6,200 due to the debit to this budget of expenditure in connexion with the sports funds. This again, does not represent a true charge on provincial revenues, as it is balanced by a corresponding receipt on page 269 of the budget. It is not necessary for me to detain the House at this stage by a more detailed examination of the figures. Should any honourable member desire an explanation of any particular variation we shall try to give it to him during the course of the debate.

I have quoted testimony to strict control over expenditure in this department. Control over expenditure, however, does not prove that the expenditure is not heavy or unavoidable. It has in fact been more than once represented that the cost of our police swallows up a disproportionate share of our provincial revenues, and it may again be said that the total sum of over 1.66 crores provided for in the present estimates is

a very large sum. I would remind the House, however, that in spite of increasing needs there has been a definite and considerable decrease in the expenditure of the police. The total sum now estimated is eight lakhs less than the average annual expenditure during the years 1920—23, and nearly three lakhs less than the average expenditure over the 12 years ending in 1931-32. In 1919 the constitution and conditions of the service were fully investigated by the Civil Police Committee, and as a result of their recommendations the present rates of pay were determined. Honourable members, I am sure, will agree that if we are to have honest officers we must pay for them, and the present rates of pay are, in view of the powers and the responsibilities exercised by and placed upon the police officers, not excessive. Reductions in expenditure have, however, been secured by reductions in personnel and by strict economy in expenditure on supplies and miscellaneous items. Between 1921—1931 the population of this province increased by over three millions or 6.3 per cent. From time to time new laws have been placed on the statute book, some of them placing more duties upon the police. The increase in the number of motor vehicles, the control of which falls solely upon the force and is a serious and entirely new duty, has been rapid and we have now nearly three times as many motor vehicles on our roads as we had in 1927. In spite of these increases in its duties and responsibilities, the total strength of the police force has been reduced from 36,657 in 1921 to 33,694—a reduction of nearly 3,000. Nor has this decrease in strength been accompanied by an increase in the number of chaukidars, for, while in 1921 their number was reduced by over 35,000 to 52,482, we have at present only 40,437 chaukidars. Comparisons are said to be odious, but they are sometimes illuminating. We have large police force, but we also have a large criminal population, larger than of any other province and nearly twice as large as in Bengal, the province which comes second to us in this respect. Nevertheless, the annual cost of our police amounts to only 5 annas per head of population, a figure lower than that of any other province with the exception of Bihar. Similarly, the cost per head of the police force is only Rs. 4.22 a year, or less than in any other province in India. Of the total cost of our force, nearly 20 lakhs are due to special features. We have over 66,000 members of criminal tribes, whose supervision and control alone accounts for 1½ lakhs of the budget, while chaukidars cost another 17 lakhs. In no other province is the cost of village chaukidars debited to the police budget.

It is, however, but right that the House should know that the need for economy has made it impossible to effect all the improvements that we desire. Certain improvements have been carried out and certain defects remedied, but there is much to be done. Many of our police buildings, which are very old, urgently require reconstruction. Last April it was estimated that our requirements for buildings were still 39 lakhs. Only a portion of the rearmament programme has been carried out. In only 15 districts have the civil police been supplied with boots, while waterproof capes have been distributed to less than five per cent. of the force. We have no field dressings, although we send our men out on operations of a quasi-military and dangerous nature against dacoits and other criminals. In short, in spite of the fact that we have a relatively inexpensive police we have not been able to equip it in the way in which it should be equipped. Next year the police will be under the

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control of Ministers. I know that Indian opinion has criticized some of the special provisions which will govern the police under the new Constitution. In spite, however, of certain restrictions the new legislatures through its Ministers will have a larger measure of control over the department than at the present time when it is a reserved subject. Personally I regard the transfer as both necessary and desirable and view it with equanimity, for I hope and feel that the police will continue to receive the consideration that they have hitherto received from the Governor in Council and the present United Provinces Legislative Council.

Before concluding I should like to say how much I owe to my Secretaries. The ripe experience and commonsense of the Chief Secretary, Mr. Bomford, have always been at my disposal while I fully endorse my predecessor's tribute to the Deputy Secretary, Mr. Frampton. I have seldom come across an officer so thorough and so painstaking. The Superintendent, Rai Sahib Govind Ballabh Upreti, has worked very hard and well. In case I do not get another opportunity in connexion with a later demand, I should like to pay a tribute to the very good work done in the Judicial department by Messrs. White and Mogha.

I now commend the motion to the favourable consideration of the House.

Rai Bahadur Babu Jagadeva Roy : I beg to move that under sub-head A—Superintendence, 1—Pay of officers, a reduction of Re.1 be made.

The Hon'ble the President : The honourable member must have noticed that the whole of the item under " Pay of officers " is non-voted.

Rai Bahadur Babu Jagadeva Roy ; Yes, Sir.

The Hon'ble the President : And as it is non-voted, no reductions can be made there.

Rai Bahadur Babu Jagadeva Roy : May I say something ?

The Hon'ble the President : What can the honourable member say here ? The motion is out of order. Whatever the honourable member may have to say, he can take advantage of some other motion.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : I beg to move that under sub-head A—Superintendence, 2—Pay of Establishment, a reduction of Re.1 be made.

Really what I want to say, it concerns the first item, " Pay of officers," but as that item is non-voted one, I am to follow the practice of moving a token cut under the head " Pay of establishment ".

Thakur Muneshwar Bakhsh Singh : May I rise to a point of order ? My motion no. 3 relates to the same item and I seek a reduction of Rs.1,388.

The Hon'ble the President : That is a substantive cut of Rs.1,388. How does the honourable member arrive at 1,388 ? It is a definite figure.

Thakur Muneshwar Bakhsh Singh : That is the figure respecting one clerk and two constables newly provided for the Assistant General of Police.

The Hon'ble the President: Under "Pay of establishment" the number of clerks and constables is the same as it was. The number has not been increased.

Thakur Muneshwar Bakhsh Singh: At page 167 there is one new clerk and two constables under "Pay of establishment".

The Hon'ble the President: Quite. But I think Haji Muhammad Obaid-ur-Rahman Khan refers to the new Assistant Inspector General of Police. The honourable member refers to clerks and constables but Haji Muhammad Obaid-ur-Rahman Khan, as I said, refers to an increase in the number of Assistant Inspectors General of Police.

Thakur Muneshwar Bakhsh Singh: That is due to an increase in the number of Assistant Inspectors General of Police.

The Hon'ble the President: The honourable member will notice that there is an increase in the number of Assistant Inspectors General of Police. What Haji Muhammad Obaid-ur-Rahman Khan wants by means of this token cut is to bring to the attention of the House that increase. On the other hand, the honourable member for Hardoi refers to an increase in the number of clerks and constables, which is quite a separate item.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Honourable members will notice that under "Assistant Inspectors General of Police" there is an increase of one officer, that is to say, instead of one officer they are providing for two in the year 1936-37, and consequently there is an increase in the amount which was budgeted last year by Rs.12,000. The Hon'ble the Finance Member while presenting a note on Government's retrenchment scheme has made a mention of the fact that a special officer is examining the possibilities of retrenchment in the Police Department to the extent of Rs.4,50,000. Only a while ago the Hon'ble the Home Member gave the name of the officer who has been placed on special duty in order to suggest possibilities of retrenchment in this department under which a sum of Rs.1,66,000 has been provided in the budget for the next year. But he said that there is a possibility of retrenchment to the extent of four lakhs only, and he was not sure if the Government would be able to effect the proposed reductions this year or they would be able to carry out the suggested economy in the coming years. Government had introduced new taxation measures in this House only a week ago and the House passed them as there was a deficit to the extent of 73 lakhs of rupees in this budget. I am at one with the Hon'ble the Home Member and other members of the Government when they say that the efficiency of the department must be maintained, for on law and order depends the peaceful administration of the province. But at the same time one cannot lose sight of the present financial condition of our province. It is surely necessary that law and order should be maintained but at the same time it is also equally desirable that the financial conditions of these provinces should remain as sound as possible, for if the latter is not the case, then it will be very difficult to keep order in the province. It is not desirable that there should be any increase in the existing cadre, and I hope the Hon'ble the Home Member will let the number of Assistant Inspectors General of Police remain exactly the

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same as it was in the previous years. If hitherto the work could be carried with one Assistant and if so far there was not any difficulty in coping with the routine work, then I submit that there is no case for an increase now, specially when there is a deficit budget and when fresh taxes have had to be imposed to meet the necessary expenditure. It would have been much better if the Hon'ble the Home Member could point out the heads under which Mr. Peters proposes economies. At present we are quite in dark about it, and in this connexion I am reminded of a Persian couplet—

Ta Tiryaq az Iraq awurdah shavad,

Marguzida murda shavad.

تا تریاق از عراق آورده شود * مار گزیده مرده شود

When will the Government take active steps to make retrenchment in this department? Will the Government give effect to the proposed measures of retrenchment in future years, that is to say after the inception of the new reforms? If these economies are not effected this year when the effect will be given to them? I am sure that the Government would see its way to reduce the expenditure to the possible extent in every department. As under the Police department the estimated expenditure is to the extent of Rs.1,66 lakhs this year there seems room for retrenchment, or rather for substantial reductions; of course one should keep in view the fact that the efficiency of the department should not suffer.

There can be made certain proposals for retrenchment, but perhaps it is not the proper place for enumerating such proposals. The Hon'ble the Home Member just made a mention about chaukidars

The Hon'ble the President : I am afraid the honourable member is going much beyond the point.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I was urging upon the Government the necessity of not adding to the number of Assistant Inspectors General, because to my mind there is not any justification for making an addition and the work can be carried on with one Assistant Inspector General. I hope the Government will see its way to drop the proposal which they have put before the House. If they do so, it will show that they are really willing to make all possible reductions in expenditure in order to balance the budget. Even if there be such a suggestion at the hands of non-official members, they should not hesitate to accept it. With these words I commend my motion to the acceptance of this House.

Rai Bahadur Babu Jagadeva Roy : Sir, I rise to support the cut motion moved by the previous speaker. I presume that the Government have thought that the work entrusted to the office of the Inspector General of Police could not be disposed of by him alone, nor with the assistance of one Assistant, and it is therefore that they have added this time two Assistants. Even on that assumption there seems to be, in my opinion, no justification whatsoever for increasing one post in view of the present financial condition. But, Sir, the difficulty in this direction is aggravated by the fact that every department of the Government cares for its own betterment and is anxious to increase the expenditure in that particular department. So this must have been one of the reasons

for adding one more post to the present one. In the second place, I find that a Deputy Superintendent could be put in as another Assistant. In that case the expenditure would have been less and it would be a voted item. But I cannot make out what the special reason is for having one more Assistant to the Inspector General of a non-voted class. This would simply mean more expenditure. Thirdly, in my opinion most of the correspondence connected with some of the duties performed by the Inspector General can be disposed of by the Deputy Inspectors General, because there is no use increasing routine work in the file of the Inspector General himself. We further find that one or two officers during the course of the year are placed on so-called special duties and extra expenditure is incurred in this way also. In the present case I would not find fault with the officer on special duty because we find that on the basis of his report there is likelihood of reducing the present budget by 4 lakhs and odd and so it seems that he has done something substantial.

Now, Sir, there is another point. It has been said that the tone of the police force has improved and that it is on the way to further improvement, but it is surprising that though 100 years have passed we are still thinking of improvement in the tone of the police force. I cannot agree with this observation. The Hon'ble the Home Member mentioned in his speech that this province stands second so far as the criminal population is concerned.

The Hon'ble the President: We are not concerned with that here now.

Rai Bahadur Babu Jagadeva Roy: My point therefore is that this new post of Assistant to the Inspector General does not seem to be justified and consequently I support the motion and hope that this post will not be added.

Mr. B. A. Horton: Sir, I think I should explain first that this post to which the two honourable members have referred, is not altogether a new post. It existed on a temporary basis during the years 1928—1931 and again from August 1933. In November, 1934, the post was made permanent by the Secretary of State. It was not, however, included in the budget for last year because the budget had been prepared prior to the receipt of that order. It was provided for last year by reappropriation by the Finance Department. Its appearance in the budget this year is simply to give effect to that order of the Secretary of State. At one time I think the first honourable member, who spoke, confused the post which was occupied by Mr. Peters as mentioned by the Hon'ble the Home Member, with this post of additional Assistant to the Inspector General. The post occupied by Mr. Peters was purely a temporary post for the purpose, as has been explained, of endeavouring to find economies in the future. This post of additional Assistant is not altogether a new one as it really follows the abolition of three officers in the office of the Inspector General. The first was a Buildings Officer, who is an Executive Engineer of the Public Works Department, the other was a Pay and Accounts Officer, belonging to the Accountant-General's Office and the third officer who ceased to work in the office of the Inspector General was the Assistant Inspector General of Railways. Prior to the appointment of this additional Assistant, the Assistant Inspector General, Railways, used to prepare notes on all appeals and petitions which were submitted to the

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Inspector General. The number of those appeals and petitions was roughly 200 per annum, so that that was a good deal of work for which no officer was provided until this additional Assistant came in. He also took over the duties of the Buildings Officer and the Pay and Accounts Officer.

Now, as regards the increase in the total number of superintendents, the fact is that far from there being any increase there has been a decrease of two superintendents of police in the cadre of this province and also an additional decrease of one post of Assistant Superintendent. This follows from the fact that three Superintendents of Railway Police have been abolished and also the Superintendent of Police, Ajmer-Merwara. In their place one Assistant Superintendent has been promoted to superintendentship and he becomes the additional Superintendent of Police, and the other post which has been created is this post of additional Assistant to the Inspector General.

Now, Sir, I think that since honourable members have indicated that some of the duties which fall upon the Inspector General might be transferred to Deputy Inspectors General, I ought to mention the duties which this additional Assistant performs for him. He deals with appeals and petitions, as I have said, from a force of 33,000 men, and naturally their number is large. It is roughly 200 per mensem. They are all complicated appeals and not simple. Secondly, he has to arrange for the supply of uniform, arms, ammunitions and accoutrements. Obviously this cannot be done by Deputy Inspectors General, because the one thing necessary is uniformity, and also by buying in bulk we save money. The number of persons provided with uniforms is over 30,000. Arms are supplied to the number of over 20,000, all of which need periodical repair and so on. Apart from that, this officer deals with pensions and gratuities which are paid not only to police, but also to members of the public who have assisted the police. The annual number of such cases is over 1,000. He is also in charge of the general crime statistics for the whole province and of police records which are maintained at Allahabad. I hope that after that explanation honourable members will agree that there is a great necessity for this additional officer and I can assure them that that is why he has been provided. I should also mention that when he was temporarily removed in 1933 no fewer than four out of seven head clerks employed in my office broke down and had to retire on medical pension, entirely as the result of overwork.

Khan Bahadur Maulvi Fasih-ud-din : Sir, the speech that has just been delivered by the honourable Inspector General of Police raises one or two very important issues. To begin with, we have been seeing that many of the departments are in the habit of putting in temporary officers to take up some sort of work and subsequently they make that an excuse for making that post permanent. The fact that this Assistant Inspector General has been made permanent is a very significant illustration of this. We find, Sir, according to the honourable Inspector General of Police, that this temporary post was created as far back as 1931 and that it was brought under reduction in 1933 and subsequently last year the Secretary of State passed an order that it should be made permanent and that the

his officer had to be defrayed by means of an appropriation in the

A tendency of this kind ought to be done away with by a strong

hand by this honourable House. The Inspector General of Police says that this Assistant Inspector General does various kinds of work. To begin with, he is in charge of the accounts and particularly he keeps an account of accoutrements and uniforms and all these things. Then he looks after the appeals and deals with miscellaneous applications and so on. I have been very seriously thinking over the nature of the work that this officer has to do and I have come to the conclusion that this kind of work could much better be performed by the appointment of a deputy superintendent of police belonging to the Provincial Service than by an Imperial Police Service. The addition of an Imperial post in the Police cadre, I think, should not find favour with this Council. If really there was sufficient work for an officer of this kind, as has been explained by the honourable Inspector General of Police, then I am rather surprised that why a deputy superintendent of police was not deputed to do this work and assist the Inspector General of Police in connexion with the work that he has specified.

Shaikh Muhammad Habib-ullah : Sir, the original motion is against the appointment of an Assistant Inspector General of Police. My friend on my left who has just finished does not disagree with the appointment, but would rather let it go to a Provincial Service than to an Imperial Service officer. I am in favour of neither an Imperial nor a Provincial Service man in dealing with a subject like this when I know that at this moment the charge of the Inspector General of Police is the heaviest compared to that of any other head of the department in the Government service. He has got to deal with the whole province, and he has not only to deal with matters which come to him through his deputies, but sometimes has to deal directly if cases happen to be of an emergent nature. It may be said that his work should be decentralized by giving more power to the Deputy Inspectors General of Police. Even in that case I think the Inspector General's work will be to unify the work of the whole province instead of letting each Deputy Inspector General work in his own way. Sir, the Inspector General has given full reasons for getting one more assistant for the discharge of his duties. But where I take exception is to the procedure adopted that without putting before this House or the Finance Committee of this House the fact that they were going to create a new post they applied to the Secretary of State and obtained his sanction for the appointment. The sanction means that the post has become non-voted. This is the only thing to which I take strong exception. I have nothing to say to the Inspector General asking for two or three assistants or even more according to the amount of work which the Inspector General may have to dispose of. But what I want to know is why was a post created by taking the sanction of the Secretary of State direct without first bringing up the matter before this House, a post which has become non-voted.

Thakur Muneshwar Bakhsh Singh : Sir, I have got motion no. 4 in my name, which deals with the same matter. It has been pointed out by the Inspector General of Police that the post was a temporary one from 1928 and 1931 and then it was abolished for a period of two years and afterwards it was made permanent in November, 1934. If we compare the work which the police force, or which the police as a whole, has to do now with the work that was done between the years 1931 and 1933 we

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find that there is much less work now than there was then. There was civil disobedience movement then prevalent and there were thousands of political cases. At that time there was need for one more Assistant Inspector General, but in 1931 that post was abolished and it remained so up to 1934. Now unless it can be shown that the work has increased and that there is need for an extra Assistant I cannot see any reason for creating a new post. If we see to the prevention and detection of crime we will find that the number of dacoities and robberies and other important offences have decreased to a large extent. So there has been an improvement all round in the police administration and I think that the Department of Police has not suffered owing to this abolition from 1931 onwards. In view of this fact, I think, there is no necessity for an addition of the Assistant Inspector General of Police. Various convincing reasons have been given by the Inspector General of Police that there is a necessity and it has also been suggested that there is such and such work to be done by him, but I do not know any substantial increase in the volume of work which these two assistants will do. With these words, Sir, I support the motion before the House.

Khan Bahadur Saiyid Jafer Hosain : Sir, the motion now before the House has my entire support. I am unconvinced after hearing the reasons for increasing the cadre and the nature of the work that the other Assistant Inspector General has been doing in a temporary capacity during the last few years. In my opinion the present is the most inopportune time for raising the cadre of any service and more especially the Imperial Service. Now that we find ourselves faced with this heavy deficit, it does not look right that we should add to the cost of the administration. It is all right to say that the present volume of work is such as to justify the addition of another post, but we have to take the financial situation into consideration as we find it today. We find that Government is most anxious to retrench posts and to retrench offices in various directions and now for the Police Department to come forward and say that it wants to add a permanent post to the Imperial cadre, is to my mind an unreasonable request. It is just possible that if the same temporary arrangement had been continued, namely that the present incumbent had carried on his job in an officiating capacity, it would have been a different thing, but to make it permanent is, I think, not justified. Sir, with the advent of reforms in the year 1922 when we were faced with a special menace in the way of a large number of dacoities we had to maintain a special dacoity force and then the circumstances justified the retention of that special post. Even then the Government of the day were good enough to place before this House the proposals regarding the increase in the Police force and got sanction to have a special police force to counteract and put an end to the dacoities. The Council readily agreed to the formation of a special dacoity force. In the same way it would have been much better if the Government had come forward and placed before this House facts and figures to show that there was an immediate necessity of a permanent addition to the cadre on account of the pressure of work, and it was just possible that some of us would have agreed to the addition of this post; but considering the fact that this House was not consulted and a decision was arrived at behind the back of this House and the question appeared in

this budget as a settled fact, this certainly was a procedure against which we should like to lodge our protest and to which we take exception. In my opinion no case has been made out for the addition of the post. If there is rush of work, it can be relieved by appointing a temporary deputy superintendent of police who can do such work quite efficiently.

Rai Bahadur Vikramajit Singh : Sir, this is a question on which two opinions could be held. In this Council the question has been debated year after year with regard to increase in the number of appointments of the Assistant to the Inspector General, but the real question is that the police department is a very important department and it has to be very efficiently managed. Now, Sir, who is to be considered to be the best judge with regard to the question whether there ought to be only one assistant or two assistants to the Inspector General. I think the Hon'ble the Home Member, in whom the House has got full confidence and the Inspector General of Police who is a very competent officer are really the best judges of the number of assistants that he ought to have and the fact that in past years this post was held temporarily for several years and has now been made permanent leads me to the conclusion that there has always been felt a necessity for keeping more than one assistant. I think, Sir, the time of the Inspector General himself ought not to be employed by looking into smaller matters. His time ought to be occupied by looking into questions of policy and the supervision of the general administration of the police. Therefore he is entitled to have sufficient assistance to relieve himself of such duties which could be performed by men holding inferior posts. Of course there is much which can be said with regard to having the second assistant from the Provincial service. It has not been stated by the Inspector General of Police that the work which he has narrated cannot be efficiently and satisfactorily performed by a member of the provincial service. If work like that could be performed by a member of the provincial service then there will be a saving of cost. It can be done on a smaller salary than has been proposed in the budget. Therefore, Sir, I agree very largely with my honourable friend Khan Bahadur Manjvi Fasih-ud-din when he suggested that a deputy superintendent of police could have very well performed and efficiently discharged the duties of the Assistant to the Inspector General of Police. And consequently it may not have been necessary to have an officer on high salary from the Imperial Service. That is a point which, I think, ought to be answered by the Hon'ble the Home Member. So far as giving a second assistant is concerned I think the Inspector General has given sufficient facts to show that all the duties could not be performed by one officer and if there is only one assistant he will be seriously handicapped. Therefore I do not agree with the motion before the House ; but I do say that Government have to make out a case that a deputy superintendent of police will not be sufficient as an Assistant to the Inspector-General in these matters.

With these remarks I oppose the motion as it stands, but make the suggestion to Government to have a deputy superintendent of police in this post.

The Hon'ble the Home Member : I think that there has been some misapprehension on the part of certain honourable members who have spoken. They, or some of them, seem to think that this is a case of

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adding one post to the cadre of the Indian Police. Let me assure them that this is not the case. This arrangement is part and parcel of a retrenchment scheme which came into effect I think in 1932 and which was connected with the reorganization of the Railway Police. This Government a few years ago submitted proposals to the Government of India involving a substantial reorganization of the railway police, and the House may be interested to know that as a result of that reorganization three permanent posts of superintendents in the railway police were abolished. It is true that this particular post to which reference has been made has been made permanent; but subtracting one from three we have two. That is to say, there has been a net decrease of two posts. If the result had been an increase of one in the number of posts sanctioned for the Indian Police the criticisms of my honourable friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan and subsequent speakers would have been justified, but I do feel that they are under a misapprehension.

The Inspector General has shown the amount and nature of work done by his second assistant. When there were the three superintendents in the Railway Police who have been abolished, the Assistant to the Inspector General, Railway Police, was able to give some assistance to the Inspector General, but owing to the fact that three higher posts in the Railway police have been retrenched that assistance is no longer forthcoming. Some of the help which the Assistant Inspector General in the Railway Branch was able to give to the Inspector General of Police is now rendered by the second Personal Assistant. It has been said that the work could as well be done by an officer of the provincial police. The Secretary of State has already sanctioned this post..... (*Mr. Chintamani: At whose request?*) in the cadre of the Indian Police. One reason for the inclusion has been that three posts in the Indian Police were abolished as I have already stated. Therefore, there is still a reduction in the total number of posts open to the Indian Police. In conclusion I may state that, although this post has been classified as permanent for the purpose of recruitment, there is a proviso inserted at the instance of this Government and accepted by the higher authorities that the permanency of the post will be subject to reconsideration at some future date, if it is shown that the work is not sufficient for the second assistant or for any other good reason.

Before I sit down I may remind the House that the Inspector General has a good deal of touring. He cannot be tied to headquarters without detriment to his duties as head of the force. That I think is another justification for this post, which, if I may put it, is of a semi-permanent nature.

***Mr. C. Y. Chintamani :** I shall reserve until a later stage my congratulations to the Hon'ble the Home Member and the Inspector General of Police upon the statement made by the Hon'ble the Home Member earlier in the morning. I shall also reserve until that stage is reached a strong complaint that I have to make against the Hon'ble the Home Member in the Police Department for not having supplied to us the Police Administration Report for last year. At this moment I shall limit myself to the motion under discussion.

***Speech not revised by the honourable member**

I am bound to say that the speech of the Inspector General of Police as well as the speech of the Hon'ble Home Member have left me wholly unconvinced—unconvinced in spite of the plea in their behalf that has been put forward by two of my honourable friends on this side of the House. There is a certain amount of inconsistency between the argument put forward by the head of the department and his Chief—the Hon'ble the Home Member. The Hon'ble the Home Member has said that the increase of the Assistant to the Inspector General was a part of the scheme of reorganization of the Railway Police proposed in the year 1932. The Inspector General, speaking earlier told us that this was not an altogether new post, because it had existed on a temporary footing in earlier years before 1932 and the scheme of the reorganization of the police. Both, however, have agreed that since then the Secretary of State has sanctioned this additional Assistant permanently. Here, Sir, I have the strongest possible complaint to make against the methods of the Local Government. Older members of this House will remember that the Local Government had persistently been in the habit of creating temporary posts, appealing for the sanction of this House on the ground that they were temporary, and then taking advantage of the circumstance that these All-India service posts were not under the control of the local Council, going behind the back of that Council to the Secretary of State to sanction posts permanently, and then come before us to confront us with an accomplished fact. I ask the Hon'ble the Home Member to say at whose instance the Secretary of State included this post in the cadre of the Indian Police? I should also ask him to say at whose request the Secretary of State made this post permanent at all? Was it an auto-suggestion on the part of the Secretary of State, or did he consider a representation made by the Local Government and only acceded to the request made by them? I cannot conceive the former contingency, the possibility of the Secretary of State stripping into the vacant space and imagining that the Local Government were in need of a permanent Assistant to the Inspector General and making a free gift to them of that post. I consider that the Local Government having created the post in the first instance temporarily must have gone to the Secretary of State with a strong recommendation to make the post permanent and I further consider that it must have been a suggestion of the Local Government themselves that the post must be included in the cadre of the Indian Police. I asked the Hon'ble Home Member, when he said that the Secretary of State had included this post in the Indian Police cadre, whether he did not do so at the request of the Local Government but he did not answer my question. The question need not be answered. The answer is self-evident. He would not have done so on his own accord. If this be so, it is doubly wrong on the part of the Local Government, first to have gone behind the back of the Council to make the post permanent after having got the sanction of the Council to a temporary post on the plea that it was only temporary, and then—this is a repetition of the history—further to have asked the Secretary of State to include it in the non-votable cadre of the Indian Police. Now, Sir, when did the Local Government discover the urgent necessity for this post, for its being made a permanent post and for its being a post in the Indian Police cadre? I have before me the report of the Inspector General for the year 1934. I have gone through the whole of it and I find nowhere in it one word of complaint that the Inspector General was handicapped in his work for

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want of a second assistant. As I have said the report for the later year has not been made available to us. If the Local Government had found that need to be so very urgent, would they not have gone before the Finance Committee of this Council with a proposal in this behalf? They did not do so. The Hon'ble Home Member following the Inspector General, has emphasized the enormous and heavy work that rests upon the shoulders of the Inspector General and the consequent need for this additional assistant. Incidentally, he has also told us that he is a touring officer who has to devote much time in the districts. Since when has this present discovery been made? I suppose the present Inspector General is not the first of his species. Nor is he the first Inspector General who had had to undertake touring. He has had to do it before and has had touring predecessors too. Has he been doing more touring than they did? How is it that his work of touring so enormously increased that without an additional Assistant of the higher paid Indian Police of the service which is under the control of the Secretary of State and not of this Government or of this Council he cannot do? When was this discovery made that he would be severely handicapped in the performance of his duties unless this additional burden was imposed upon the taxpayer? I have listened with the utmost possible care to every word that has fallen from the lips of the Inspector General as well as the Hon'ble the Home Member, and I have not discovered in any of those two speeches any trace of an attempt seriously to convince us that the police and the Inspector General would suffer in efficiency or utility if this additional burden was not cast upon the taxpayer. I would ask the honourable members to picture to themselves the eloquence and the tone of conviction of the speech which the Hon'ble the Home Member made from that place earlier in the morning and the manner of the speech in defending this proposal. I wonder whether he was personally responsible for the request of the local Government to the Secretary of State to make this post permanent and to include it in the Indian Police or whether he has only been called upon to discharge his duty *ex officio* of defending this proposal. I wonder which of the two was the fact from the manner of his speech in defence of this proposal. In any case, Sir, our duty is clear. The Inspector General and the Home Member have told us that far from there being an increase in the cadre there has actually been a decrease of one or two due to reorganization of the Railway Police. Still what is the strength of superintendents, assistant superintendents and deputy superintendents in the several provinces? Here I have the statistical abstract, the latest number that has been issued. I find that in the Presidency of Madras the number was 114; in Bombay 87; in Bengal 130, but in the United Provinces it is 175. This includes ten temporary deputy superintendents. In all other provinces it is still less. Even in the very large province of Burma, the largest in area, it is only 147. Do these figures indicate the practice of that excess of economy upon which the Home Member has enlarged?

Having heard both the official speeches and the two non-official speeches more or less in support of the Government, my conclusion is stronger now than it was at the commencement of this debate that this motion is perfectly just and should be pressed. As a matter of fact I had given notice of a motion no. 8A on the order paper for a substantive

reduction of Rs.11,000 under "Superintendence". That motion had to take this form because this particular item is non-voted and therefore I could only attack it by moving a substantive reduction under the whole. I have spoken upon this; it will depend upon the result of this motion as to what will happen to that when it is reached.

Shaikh Muhammad Habib-ullah: Will the Government be pleased to explain why they did not take this House into confidence or obtain the financial permission of this House before they went up to the Secretary of State?

The Hon'ble the President: That point has been made in the debate by several honourable members. The Hon'ble the Home Member can reply to it later on.

Shaikh Muhammad Habib-ullah: All right, Sir.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: When I stood for the first time to make a speech, I think there was only one point to which I could draw the attention of this honourable House. But the speeches which have been made in connexion with this motion have shown that there were other points also on which this House must take strong exception. I am sure that the present Home Member and the Inspector General of Police are not responsible for this, but surely the Government is responsible for the objection which this House can rightly raise in this connexion. It was for the Government to take this House into its confidence before referring the matter to the Secretary of State for sanction. Instead, they directly approached the Secretary of State and obtained his sanction last year. Not only that, the Finance Department, instead of referring the matter to this House or to the Finance Committee or afterwards to the Public Accounts Committee, as the usual procedure is, resorted to their power of appropriation. I am sure that the Finance Secretary would say that the Government could do this, but obviously it was not fair of them to do so, even if it was not irregular. The right course was for the Government to come up before the House and ask for its verdict on the proposed increase in cadre instead they appropriated the expenditure and paid the salary of one Assistant Inspector General on their own authority.

The second point is that no case has been made out for making this post permanent. There does not seem any need for increasing the number of Assistants by one man. I would even question if there was need for an Assistant to the Inspector General of Police, what to say of making an addition in the number at this time when there is a deficit in the budget and it could be said without fear of contradiction that no addition should have been made. It has been pointed out that in 1932 there was a reduction in the number of Superintendents, but on that ground to suggest an increase in 1936 is not fair. If the Government could do without those Superintendents for years, surely they could carry work this year as well. It has been stated that this officer will examine the proposals of retrenchment in the Police Department. But the Government could appoint an officer on special duty for this purpose as a temporary measure, and as soon as that work was finished, the man could be reverted to his substantive post. There is no ground whatever for making the post of another Assistant permanent. It

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has been pointed out that there is really no increase in the number of Imperial Service Police officers. On the other hand it is a fact that there is an increase in the number of Assistants as compared to the previous years, and I submit that the House should not agree to this increase. In these circumstances there is no course left to me but to press my motion to a division. I hope that the non-official members will support this motion of mine unanimously. I would request even the Leader of the Constitutional Party, Rai Bahadur Vikramajit Singh Sahib, to reconsider his decision. I am sure that after listening to the speeches which have been made since he delivered his speech he would have been convinced that the Government has not got any case for an increase in the number of Assistants. As for touring, surely it is the duty of the Inspector General to make a tour of the province, and he has ample time for it. In 1936 the situation is better. There is now peace. When the conditions were not as quiet as they are now, and consequently there was more necessity of touring for the Inspector General of Police, he could cope with the work with the assistance of one Assistant only. How is it that there is necessity of an additional hand at the time when everything is calm and quiet? I agree with those honourable members who have said that if there be any real need of an increase in assistants and the Government are able to convince the House that there are genuine need for an increase, certainly the House will see its way to vote for the addition. It was rightly pointed out by my honourable friend, Khan Bahadur Maulvi Fasih-ud-din, that if there was a need for an increase then a Deputy Superintendent or a provincial service man could be appointed, and I am sure that he could discharge his duties to the entire satisfaction of the Inspector General. Why should this post be monopolized by the Imperial Police Service people? There are experienced and able Deputy Superintendents who can discharge these duties as efficiently as any other officer can and the Government can place every confidence in them. I think even now some provincial service men are occupying very responsible posts and they have discharged their duties as efficiently as Indian Police Service officers have done. Under the present circumstances there seems no necessity of adding one more post to the existing cadre and creating one more post of Assistant to the Inspector General permanently. With these words I resume my seat and hope that the House will see its way to vote for the motion which I have the honour to move.

The Hon'ble the Home Member : Sir, I am not clear as to whether we are discussing a voted or a non-voted item. Khan Bahadur Obaid-ur-Rahman Khan and succeeding speakers have referred to the pay of the second Assistant which is a non-voted item.

The Hon'ble the President : I take it that the object of the motion is that there should not be an increase in the permanent cadre of the Indian Police Service.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Yes, Sir.

The Hon'ble the Home Member : I thought that I had made it clear in my first speech that this was not an isolated arrangement concerned with one particular post. It was part of a retrenchment scheme under which we effected considerable economies. We reduced the Police cadre by three Railway Superintendents, i. e., the cadre of the Indian Police Service

and because of the loss of certain help which was previously available to the Inspector General this post was made permanent. It was not necessary, I think, for Government to bring a retrenchment scheme, especially when it related to a non-voted item, before the Finance Committee. I do not think that the Governor in Council—I was not then a member of the Government—had any sinister motive in creating this appointment. It was, as my friend, the Inspector General of Police, has pointed out, in temporary existence some years ago. It might have been possible to make it permanent at that time, but we did not do so until we had effected the reduction of more than one post and in lieu of the assistance which the Inspector General previously had Government gave him this second Assistant.

Then, Sir, as regards the Provincial Police Service, I do not know whether honourable members realize that no less than 20 per cent. of vacancies in the Indian Police Service are recruited from the Provincial Police Service. There is no rule barring a Deputy Superintendent of Police from becoming a full member of the Indian Police or even from holding this particular post. Therefore I would ask the House, before they decide what action to take in regard to this motion, to remember that they cannot take this particular post out of its context, so to speak, and isolate it from the whole retrenchment scheme which the Governor in Council sent up to the Government of India and through them to the Secretary of State. This Government was responsible for the scheme, this Government was responsible for the details of that scheme and this Government is equally entitled to credit for the economies that have been effected.

Then, Sir, I am not quite sure what was the objection of my honourable friend the Leader of the Opposition when he referred to the non-receipt of the Police report. Was it for the year 1934 or 1935?

The Hon'ble the President : 1935.

The Hon'ble the Home Member : Well, Sir, the fact is that the report for 1935 is not yet published.

Mr. C. Y. Chintamani : That is my complaint.

The Hon'ble the Home Member : It will not be even before the Government for some months. The police year ends on the 31st December, but reports take some time to reach the Inspector General and the Government for the simple reason that they have to go through District Magistrates, Deputy Inspectors General and Commissioners.

Mr. Chintamani referred to the larger number of officers of the Indian police in these provinces as compared with other provinces. I have not got before me the figures for other provinces, but I think that I can say at once that if the figures quoted by him are correct—I have no reason to doubt their accuracy—one reason is that this province has a larger number of districts than any other province in India. I stated in my first speech that the permanency of this post is subject to reconsideration at some future time. If, for instance, it is found after two or three years that the Inspector General can work without the help of a second Personal Assistant, I have no doubt that the post will come under reduction. I earnestly beg the House not to ask for the retrenchment of this post at a time when we are effecting substantial economies in the police and I

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repeat that when this post was permanently created a number of posts were retrenched.

The Hon'ble the President What is exactly the issue on which the verdict of the House is sought?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: The issue is that the post of the new Assistant to the Inspector General should not be made permanent at this time.

The Hon'ble the President: The issue before the House, as stated by the honourable member, is that the post of the Second Assistant Inspector General be not made permanent. With that issue before the House the motion will be put.

The question is that under sub-head A—Superintendence 2. Pay of establishment, a reduction of Re.1 be made.

The question was put and agreed to.

Thakur Muneshwar Bakhsh Singh: Sir, I beg to move that under sub-head A—Superintendence 2. Pay of establishment, a reduction of Rs.1,388 be made.

Sir, by a reference to page 167 of the Budget we find that provision is made of Rs.956 for one clerk and of Rs.432 for two constables. That comes to Rs.1,388. This establishment is meant for the new Assistant Inspector General. As has been made clear in the discussion on the previous motion that the sense of the House is that the post of the Assistant Inspector General should not be made permanent, I think that the provision for this clerk and two constables should also not be made permanent.

The Hon'ble the Home Member: Sir, it is obvious that if his establishment is taken away from the Second Assistant, he will be shorn, so to speak, of his wings, or if he has not got wings, of both his arms. I appeal to the House not to take such a far-reaching and, if I may say so, an unnecessarily severe step. I have said in my opening speech in introducing the budget that the Inspector General has co-operated with us in proposing substantial economies, amounting approximately and ultimately to 4 lakhs. That surely shows his willingness and also the readiness of Government to effect substantial and permanent reductions in the Police budget. I think, Sir, that this amply bears witness to our good faith in the matter and I appeal, therefore, to the generosity of my friend Thakur Muneshwar Bakhsh Singh, having regard to the cut which was previously made, not to press his motion.

Shaikh Muhammad Habib-ullah: I know, Sir, that the present Home Member and the present Inspector General are at this moment suffering for the sins of the past. Now that they have not divided on the previous question, I think they ought to come forward with a statement that these posts are also not of a permanent character. When the post of the Assistant is not of a permanent character, I think the only position for them to take is that these appointments will not be made permanent.

Thakur Muneshwar Bakhsh Singh: I beg to withdraw.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head A—Superintendence—4—Contingencies—Non-contract, a reduction of Rs.2,150 be made.

Sir, I find from the budget that the actuals of 1934-35 under this head amounted to Rs.3,941. The last year's budget amounted to Rs.3,100 and the present year's budget amounts to Rs.5,250. Thus there is a clear increase of Rs.2,150 under the head contingencies. Sir, it is very difficult to find why this abnormal increase of Rs.2,150 has been brought about under the head Contingencies and why this original sum was only Rs.3,000 and it has been augmented into Rs.5,000 without any sufficient reasons being given. I looked into the original budget in order to find out any reason for this abnormal and excessive increase under this head but I failed to find any reason ascribed to this increase. The only sentence that occurred there was this that the increase is based on the actual necessities. I wonder what are the actual necessities for such an abnormal increase and I hope that with his usual fair mindedness the Hon'ble the Home Member will not be hard on the tax payers and accept this cut of mine.

Mr. R. A. Horton : Sir, I find that this increase is almost entirely due to a provision which we are asking on account of tents. The exact amount for that item is Rs.1,750 but there are various other small amounts like petty repairs of typewriters, etc. which bring up to the amount mentioned by the honourable member. As regards the comparison with the actuals of the three previous years I should mention that in 1933 no provision was made for tents and in 1934 Rs.600 only was put down for tents for this enormous police force. Therefore, Sir, if you compare the amount we are asking this year with the actuals for the previous three years there will of course be an increase on account of tents and that increase accounts for almost entirely for this amount.

Khan Bahadur Maulvi Fasih-ud-din : I am very sorry to say that the honourable the Inspector General of Police has not shown the necessity of having so many tents costing as much as Rs.1,750. He has only said that no allotment was made for tents in 1933 and that an allotment of Rs.600 only was made in 1934, but that is absolutely no reason why should such a big allotment of Rs.1,750 be made for tents in this year of financial stringency. We are, Sir, living on the brink of bankruptcy and I think it is up to the Police Department not to indulge in the luxury of having more tents this year. They could wait for one year and leave it to the new reformed constitution to supply tents if they were actually needed. The number of tents in the Police Department I think is sufficiently large. It is possible that some of them may have been worn out, but it does not follow from this that we should have such a large allotment for tents. As for the remaining Rs 450, the Inspector General has simply said that this increase is due to the purchase of new typewriters or something of that kind. I do not certainly object to that small increase, but I certainly do submit, Sir, that unless very strong reasons are given for the allotment of Rs.1,750 for the purchase of new tents I will press this motion for the acceptance of this honourable House.

The Hon'ble the Home Member : Sir, I can assure the honourable member that we are not being extravagant in the matter. During the last three or four years there has been but little purchase of new tents and new *choldaris*. The honourable member has himself been a distinguished official

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who has done a great deal of touring. He knows from experience the unsatisfactory condition at times not only of the tents provided for officers but also of the *choldaris* used by clerks and menials. But for the fact that the number of tents and *choldaris* bought during recent years has been extremely small we would not have made the provision to which he objects for 1936-37. As he and other honourable members know, a time comes when by continuing to repair a dilapidated tent or a *choldari* you save very little. In fact it is, I think, false economy to repair tents and *choldaris* when they are in that state. It is then more economical, as it is more servicable, to have new tents and new *choldaris*. I know that my friend, Mr. Horton, who is alive to economies in every direction, will see that not a single tent or *choldari* which is not absolutely necessary is bought during the year 1936-37.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under sub-head B—Criminal Investigation Department—1. Pay of officers—Deputy Superintendents, a reduction of Re.1 be made.

Sir, I find that under this head.—I mean the head Criminal Investigation Department—there is one Deputy Inspector General of Police, three Assistant Inspectors General of Police and six Deputy Superintendents of Police. This number taken together is in my opinion very large. For the last eight years, I should say, this Council has been insisting upon the abolition of the post of a Deputy Inspector General of Criminal Investigation Department. But the Government has not listened to that request of the Council. Now in addition to that one Deputy Inspector General of Police there are as many as three Assistant Superintendents of Police and 6 Deputy Superintendents of Police, and I hope that if the Government is not in a position to cut down the post of the Deputy Inspector General, it should at least take pity over the financial condition of this province by cutting down the number of Assistant Superintendents of Police and Deputy Superintendents of Police in this Department.

Mr. R. A. Horton : Sir, I understand that the honourable member objects in his motion to a large number of Deputy Superintendents of Police in the Criminal Investigation Department. Just now in connexion with another motion certain honourable members were recommending to Government that Deputy Superintendents of Police should be employed instead of officers of the Indian Police Force. I have had no time really to go deeply into this matter which is now moved, but in this connexion I think perhaps I should be able to explain matters if I stated the situation in other provinces. Now, in the United Provinces, in the Criminal Investigation Department, we have one Deputy Inspector General of Police, 3 Superintendents of Police and 6 Deputy Superintendents of Police. On the other hand in the Punjab, which is a much smaller province and which has but two-thirds of our police, they have one Deputy Inspector General of Police, 4 Superintendents of Police and 5 Deputy Superintendents of Police. So honourable members will see that, as compared with the Punjab, we have a Deputy Superintendent of Police instead of a member of the Imperial Police, which I think is just the idea promulgated in connexion with a previous motion. Similarly if we compare ourselves with Bengal, but it is hardly fair to do so as there the Criminal Investigation Department has too much work to do, but from the figures that I

have quoted honourable members will realize that here by employing a Deputy Superintendent of Police we are doing away with the necessity for employing an additional Superintendent of Police.

Khan Bahadur Maulvi Fasih-ud-din : Sir, as the budget for the Deputy Inspector General of Police, Criminal Investigation Department and the budget for the Assistant Inspector General of Police in the Criminal Investigation Department were non-voted, I had no option but to bring this out under Deputy Superintendents of Police, and my meaning was simply this that such a large staff of the Imperial and Provincial Police officers was not needed in this branch of the police work. The Inspector General of Police has said that this staff is absolutely needed but he has not given us any clue for the justification of the assertion that he has made and I should like to hear something more from the Hon'ble the Home Member.

The Hon'ble the Home Member : This, Sir, is not a case of increasing the number of posts. The honourable mover realizes, I hope, that the number of assistant superintendents of police and deputy superintendents will be exactly the same as it is in the current year and as it was in 1934-35. It is therefore, hardly necessary for Government to justify the provision for staff which has been in existence for a considerable period. It is sometimes thought that the C. I. D. only deal with political matters. I should like to tell the House that there are three branches. There is the Special Branch, there is the Investigation Branch, and there is the General Branch. The Investigation Branch deals with a number of subjects. Within its purview are important crimes, especially organized crimes, such as the manufacture of counterfeit coins, the theft of copper telegraph wires, cases of theft, cheating and fraud, in which the area to be covered by the investigation is very extensive, and important thefts of Government arms and ammunition. Then there is the General Branch which, among other matters, concerns itself with the supervision of criminal tribes settlements and the Criminal Record Office. As the honourable member knows the number of criminal tribes in these provinces is larger than that in any other province, and unfortunately their number does not decrease. The result is that in spite of increased work—the detailed figures, if the honourable member wants them, will be gladly furnished by my friend the Inspector General of Police—there has not been, nor is there proposed to be, any increase in the staff. I hope therefore that he will be satisfied on this point.

Khan Bahadur Maulvi Fasih-ud-din : I withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head B. Criminal Investigation Department—4. Supplies and Services—Secret Service money, a reduction of Re. 1 be made.

Sir, although the allotment under this head is the same as it was last year it requires a good deal of curtailment for the simple reason that it is my life long experience as an official that most of the work which these so-called Criminal Investigation Department sub-inspectors do in the districts could very easily be done by the regular staff, I mean the investigating staff, and that most of the sub-inspectors who are engaged on secret service in the districts have got a very easy time of it, especially

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in these days when there is no political upheaval or political activity of any kind. They simply go about getting news from various quarters of very little or no importance. And I am sure that if the Hon'ble the Home Member will look into this fact carefully he will come to the conclusion that much curtailment can be done under this head. I did not propose any substantial cut for the simple reason that I wanted to leave it to the judgment of the Hon'ble the Home Member to decide this point after due and careful enquiry.

Mr. R. A. Horton: Sir, the grant for secret service money is Rs.16,000. The honourable member has referred to the local staff of Criminal Investigation Department and to officers whom he calls sub-inspectors on secret service, and has complained that these people waste their time and waste the secret service money. I should like to reassure him, Sir, that the people whom he calls local Criminal Investigation Department and sub-inspectors on secret service do not receive one single pie from the grant of secret service money. This grant is entirely under the control of the Deputy Inspector General, Criminal Investigation Department, and, under him of the Assistant in charge of the Special Branch. No money is spent from this fund except under their orders, and it is not spent in the way the honourable member believes it is spent.

As regards its adequacy, I would again like to reassure him that by comparison with any other province it is quite inadequate. It is less than half, for example, the amount sanctioned for secret service in the Punjab which, I repeat, is a much smaller province; and the only province which has a smaller grant is the Central Provinces. I well remember that when the Criminal Investigation Department was reorganized in 1922 Sir Harcourt Butler wrote, with regard to this grant for secret service, that it was an example of the way in which this department has been starved. He mentioned that it was expected to carry on with so small a sum as Rs.20,000 for secret service which is, he said, manifestly impossible. But the only result of this has been that this sum has been subsequently reduced to its present figure. I can assure the honourable member that none of this money has been wasted.

Khan Bahadur Maulvi Fasih-ud-din: I would certainly have bowed to the opinion of the Inspector General if he had been Inspector General for many years in this province; but I can assure him from my own experience as Magistrate and also as a non-official member of this Council that many of these sub-inspectors who are supposed to be doing secret service have not much to do in the matter of secret enquiries or secret investigations. I hope I am not officious in a matter of this kind. I have made this suggestion only to serve as a proposal for starting an enquiry in this connection. I hope the Hon'ble the Home Member will do it. With these remarks I beg to withdraw my motion.

The motion was, by leave, withdrawn.

Pandit Prem Ballabh Belwal: I beg to move that under sub-head C—District Executive Force (a) District Police—1. Pay of officers, a reduction of Re.1 be made.

I wish to bring to the notice of the Hon'ble the Home Member and the Inspector General of Police a most objectionable practice prevailing

among some of the Superintendents and Deputy Superintendents of Police to accept large *dalis* and get all the arrangements for their touring done, and all the expenses incurred by the sub-inspectors or inspectors of the respective thanas in which they have to tour. The expenses involved in these arrangements are not small, they at times come to Rs.1,000 or Rs.2,000 according to the scale of arrangement and the number of days that the Superintendent of Police intends to spend in that particular thana. It is expected that these police officers, when on tour, should try to know whether their subordinates are taking any illegal gratifications from members of the public and indulging themselves into any sort of corrupt practices. But when on the contrary the Superintendents of Police expect all these expenses to be incurred by their subordinates, who cannot be expected to meet them from their pay, it is but natural that these inspectors and sub-inspectors should get it from some means or other. Not only that but it gives them an impetus to make money for themselves by illegal ways. It is not at all an exaggeration, but it is a fact known to all the non-official members of this House, perhaps to officials as well. As far as these sub-inspectors are concerned we can certainly pardon their short-comings to a certain extent as being low paid, or being tempted to make a fortune, which in view of large powers and authority invested to them, they can easily manage to do. But as far as the high officers are concerned who are well paid they deserve no concession at the hands of the Government. I think it is not proper for these responsible officers to whom we look up to eradicate these corrupt practices to accept such sort of illegal gratification from their subordinates who are bound to follow the example, in this respect at least, of their superior officers. Sir, I have heard some sub-inspectors saying that when they have to incur such large expenses, they must get it from some source; and that source is that they adopt corrupt practices and accept bribes right and left. Sir, the result of this is that when they know that their officers have no hesitation in putting them to such heavy expenses, they can very well know that complaints against them will not be heard by superior officers. Sir, I cannot understand why they indulge in such practice in public. We have seen that while they tour such grand arrangements are made for them that their camps are decorated and so many gas lamps are seen there, and water is sprinkled and good many gates are prepared. These camps are more dignified than the camp of the Governor of the Province. There is no exaggeration in this statement. I do not mean to say that every superintendent of police is in the habit of doing all this; but I have seen in the majority of cases that they generally follow this sort of practice. The result is that the majority of the subordinates are tempted to do what they like and they become very bold in their action.

Sir, the next thing to which I would like to draw the attention of the Hon'ble the Home Member is that much corruption is going on in the force.

The Hon'ble the President: Corruption. Where?

Pandit Prem Ballabh Belwal: In the subordinate staff.

The Hon'ble the President: But we are dealing here with superintendents of police. This is Pay of officers—pay of superintendents and assistant superintendents.

Pandit Prem Ballabh Belwal : All right, Sir, I will leave that. Can I refer to inspectors ?

The Hon'ble the President : The honourable member had better move a cut under the entire head.

Pandit Prem Ballabh Belwal : With these remarks I commend my motion for the consideration of this House.

The Hon'ble the Home Member : I confess that I heard the honourable member rather imperfectly. Such are the poor acoustics of this House. Is it his complaint that a majority of superintendents of police disobey the rules laid down by Government, receive large *dalis* and do not pay for their expenses when they are in camp ?

Pandit Prem Ballabh Belwal : Yes.

The Hon'ble the Home Member : Well Sir, that is a serious charge to make against a majority of superintendents. It implies that a majority of our European and Indian superintendents of police transgress not only the rules of Government, but, if I may say so, the principles of morality. I cannot accept this. I hoped that the honourable member in making such general charges would at least furnish us with certain instances; because it is only when we get specific instances of wrong doing that we can take action. I say to him that if he knows of any superintendents of police, whether in his district or elsewhere, who are in the habit of not paying for articles received or who receive large and expensive *dalis*, he should refer those cases to myself or the Inspector General of Police. I can assure him without any qualification, or equivocation, that I shall have immediate enquiries made. I myself—perhaps some honourable members may be surprised—refused *dalis* of any kind consistently throughout my long service. I think that from the point of view of many officials they are a great nuisance, for sometimes they are accompanied sooner or later by a request for some favour. Further, to receive anything more than a few flowers and some fruit from the donor's garden, is against the government rules, and I am decidedly of opinion that the government rules are correct. I do not find that any other members have supported the honourable member in his charge against a majority of superintendents. I am glad of this. If they had, I should have been compelled to ask the Inspector General of Police to draw the attention of all superintendents of police to the existing rules on the subject but I find that so far with the exception of himself no other non-official member has spoken. Now that he has brought the matter to our attention, I hope that he will not press his motion.

Pandit Prem Ballabh Belwal : I am very thankful for the sympathetic speech of the Hon'ble the Home Member in which he has told us in clear terms that there are strict orders against acceptance of *dalis* or making sub-inspectors pay the other expenses during the tour time and that he will enforce them as rigidly as possible.

As regards the majority of the superintendents of police, I am certainly not aware of the happenings throughout the province, but I know of cases which have come to my notice near about my place and at places where I happened to go. In respect of them I was certainly right in saying that many such cases came to my notice. I do not mean to reflect on the general body of superintendents throughout the province, but in cases that came to my notice the majority were such. I will certainly give instances of those cases to the Hon'ble the Home Member privately;

I do not want to drag them at this moment here on the floor of this House. I shall certainly be glad to give him the information if he wants it privately. I would certainly request that the attention of the superintendents of police might be drawn to the rules contained in the Government Servants Conduct Rules with a clear warning that they should observe them to the letter and spirit. With these few words I beg leave of the Council to withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under sub-head -C. District Executive Force (a) District Police 2. Pay of establishment (Executive subordinates), a reduction of Rs.76,145 be made.

This item represents the excess of the present budget over the budget of the current year. I find that the allotment under this head during 1935-36 was Rs.26,63,000. It has this year risen to Rs.27,40,000. The number of employees, I mean constables and others, has also risen by about 190. This increase, under the conditions that we happen to be in, is in my opinion not justified. I do confess that some increase might have been considered necessary under this head in connexion with the increase in the number of thanas and the reorganization of the police force. But specific facts have not been supplied to us, and for that reason we are not in a position to know how far this huge increase of over Rs.76,000 is justified in these days of financial stringency. I am one of those persons who think that the Police Department is a *sine qua non* for the prosperity of people. I also think that in spite of the very serious defects that exist in the present system of the Police Department, I say to it, "With all thy faults I love thee still," but, Sir, I am not in favour of an abnormal increase in this department on the mere ground that they have been necessitated by this or that fact, specially when we know that the Congress activities happen to be at the lowest ebb in these days and when we find that we are now at the threshold of a new Constitution and that we have to give an account of the manner in which we have been spending the public money in the various departments. I hope that the Hon'ble Home Member will come forward with some sort of a reduction under this head if he does not agree to cut down the full amount of increase that I have quoted.

(The Council at this stage adjourned for lunch at 1.15 p. m.)

(After recess the House re-assembled at 2 p.m with the Deputy President in the Chair).

Mr. H. J. Frampton : Sir, I understand that the honourable member wants an explanation of the increase of 23 subordinates under "District Executive Force" and of the increase of Rs.76,000 in cost. If the honourable member will turn to page 171 of the budget, he will see that under the "Railway Police" we had 28 subordinates last year. We have now four only. These 24 posts have been transferred to the District Executive Force. So the natural effect is that there is an increase in the total number of subordinates under the District Executive Force. I should further explain that last year we provided 2,165 old posts and four new ones, i.e. for a total of 2,169. Now one of those posts has not been filled with the result that we have one less post. So, in transferring 24 posts from the Railway Police we have a net increase of 23 only.

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With regard to the cost—if the honourable member turns to page 171—he will see that there is a decrease of Rs.34,000 under the same item. That decrease has now been placed under “District Executive Force” owing to the reorganization of the Railway Police and the placing of the railway police under the supervision of the District Superintendent of Police. That accounts for Rs.34,000 of the increase. A further sum of Rs.35,000 is largely due to budgeting procedure. In a large staff like this it is necessary to calculate what will be the requirements of the year on the assumption that all posts are held throughout the year, but in actual fact some of the posts that fall vacant cannot be filled up at once and experience shows that there is always some saving. We, therefore, estimate and deduct from the total what we consider, in the light of past experience, will be the probable savings during the year. On the average of the past three years we found that we had to reduce the amount of probable savings by this sum of Rs.35,000. Another item of Rs.7,000 odd is owing to the fact that certain posts of Inspector were transferred from the Railway Police to the District Police. The posts in the District Police were created all in the lowest grades, the Inspectors really holding posts in the 1st, 2nd, 3rd and 4th grades. The result was that last year there was an underestimate on that account. This mistake is now being remedied in the existing budget. These are the main items responsible for the increase of Rs.76,000 in cost and of 23 in the number of executive subordinates.

The honourable member further hoped that the expenditure would be well and fully controlled. I think the Hon'ble the Home Member has convinced the House that there is no reason to suppose that the expenditure will not be fully and thoroughly controlled. The Accountant General who is sitting over our head like the sword of the Damocles will certainly intervene if we do not spend in the way the House wants us to do.

I hope that this explanation will have cleared up the doubts which the honourable member had and that he will not press his motion.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I am thankful to Mr. Frampton for having given all these explanations. But, Sir, an explanation is after all an explanation and, as I said in one of my speeches in connexion with the retrenchment scheme, explanations for the increase of expenditure will always be forthcoming. The question which remains for us to decide is whether the need is so urgent as to justify the increase in expenditure. I do admit that the transfer of 24 sub-inspectors from the railway police to the district police has contributed to a substantial increase under this head. But it is not clear whether those sub-inspectors, who have been transferred from the Railway Department to the district work are doing work of the Railway Department or whether they are purely employed on district work. If they are employed purely on district work, then the Hon'ble the Home Member will have to justify the increase of these officers in the district executive force over and above the number of sub-inspectors and constabulary which used to be employed, but if they are engaged solely in doing railway work, then I do not see any justification for transferring of these officers from one head to the other and upsetting the old ent. This point is still ambiguous to me. The other reasons Mr. Frampton are also not sound enough. I should like to

hear something from the Hon'ble the Home Member, especially in view of the fact that this increase constitutes a very large amount. The Hon'ble the Home Member said in his opening speech that he has to make a retrenchment of about four lakhs in his budget. I should like to ask him how he would bring about the economy of four lakhs in his budget if he is not prepared to accept any cut with regard to the excess expenditure provided in this budget. This House can reasonably touch the excesses in the grants as compared with the budget of the current year. We are not in a position to know in which corner of the department wastage exists and I should like to hear from the Hon'ble the Home Member about the avenues which remain unexplored and which will yield him a saving of four lakhs if he is not prepared to accept any of these cuts which are based chiefly on the ground of excesses over the current year's budget.

(At this stage Mr. R. A. Horton rose to speak.)

The Deputy President : Has the Hon'ble the Home Member delegated his right to speak to the Inspector General of Police, because it is only the Member of Government in charge who is entitled to make the last speech?

The Hon'ble the Home Member : Yes, Sir, in this particular matter.

Mr. R. A. Horton : Sir, I think I can at once reassure the honourable member on the particular point he raised with regard to what he thought was an increase in the district executive force on account of the transfer of sub-inspectors from the railway police to the district executive force. Actually there is no increase whatsoever in staff. As a result of the reorganization scheme certain work performed by Government Railway Police is now to be performed by the district police, e.g. the police stations which are inside railway stations are now controlled by the district police and not by the Government Railway Police. It is in this connexion that these sub-inspectors, 24, have been transferred to the budget of the district executive force. As was explained by Mr. Frampton there is a corresponding reduction in the budget of the Government Railway Police.

I hope, Sir, that this explanation will satisfy the honourable member and that he will be good enough to withdraw his motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head C--District Executive Force (a) District Police--2. Pay of establishment--Constabulary, a reduction of Rs.25,000 be made.

We find that the current budget amounts to Rs.64,39,000 and odd, while the present budget amounts to Rs.64,59,000 and odd. Thus there is an increase of about Rs.25,000 in the next year's budget. It might be argued that part of this increase is due to the transfer of the constabulary force from the Railway Police to the ordinary District Police, but I think that this amount, if it is at all due to such a transfer, could not have come up to such a high figure. I hope that the Hon'ble the Home Member will accept this cut motion of mine.

Mr. H. J. Frampton : Sir, here again I shall have to refer to page 171 of the Budget, where it will be seen that last year we provided for 87 constables under the Railway Police. This force is now being

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transferred finally to the charge of the District Police and accounts for the increase in the number of constables shown on page 168. There is a similar decrease of Rs.18,000, shown on page 171, on account of the pay of these constables. The increase of Rs.25,000 is, therefore, largely accounted for by this transfer of Rs.18,000. That leaves a balance of Rs.7,000 of increase. This is practically entirely due to the fact, that as honourable members are aware, constables are entitled to promotion from one grade to another after a period. I hope, Sir, that this explains the figure.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I beg to move a token cut of Re.1 under the head of Registration of Motor Vehicles.

Sir, I find that Rs.50,000 have been provided this year for this purpose. I believe this amount covers the pay of the new motor taxation clerks who have been engaged in every district for the purpose of keeping registers of cars and lorries.

The Deputy President: Will the honourable member speak a little louder?

Khan Bahadur Maulvi Fasih-ud-din: I believe that this expenditure of Rs.50,000, which has been provided for in the budget, is meant to cover the salary of the work engaged in connexion with the registration of motor vehicles. I find that in every district such a clerk has been appointed, but without the consideration of the fact whether that additional clerk is needed in that district or not. There are some districts in which the registration work is too heavy to enable the existing clerical staff of the Superintendent of Police to cope with it, but on the other hand there are other districts in which such an additional clerk is not at all needed. For that reason, I think, this matter requires a very careful looking into and the amount of budget namely Rs.50,000 can be very easily curtailed under this particular head.

Mr. H. J. Frampton: Sir, I gather that the object of the honourable mover is perhaps not so much to urge that there should be no provision at all for this purpose as that the provision should be reduced. Before answering this motion it is necessary to consider why a provision is necessary and has been made. The House will remember that in section 19 of the Motor Vehicles Taxation Act there is a provision by which any expenditure due to the imposition and collection of the tax should be the first charge on the road fund. The House is already aware that this charge of Rs.50,000 is intended to be debited, if spent, to the road fund. It does not of course follow that the whole amount will be spent, but I may, I think, state that on the figures which we have showing the number of motor vehicles we anticipate an income of about Rs.10 lakhs. The sum of Rs.50,000, Sir, is only 5 per cent. of that sum and on general grounds *a priori* I do not think that it will be urged that an expenditure of 5 per cent. on account of collection charges is anything out of the way. Honourable members are aware that one of the provisions of the Taxation Act was that the taxation of public motor vehicles should depend on the class of the route over which they are allowed to ply. The classification of routes requires a certain amount of supervision. We have controlling authorities and we shall soon establish a Board of Traffic and Communications. There are possible items of expenditure, stationery, allowances to

clerks and possibly travelling allowances to the members of these various committees and of the Board of Traffic and Communications. Now, Sir, in the districts it was necessary in order to ensure that the object of this Act is not stultified that we should take whatever steps we could to prevent evasion and that was the main object underlying the linking up of taxation with registration. I would remind the honourable members that in 1923 we had a Motor Taxation Act and I think I am not divulging any secret when I say that the tax produced less than one half of what it should have done. The object now is to check the payment of the tax, a step to be effected by registration. To do that it will be necessary to register and re-register four times in the year. Hitherto in police offices once a motor was registered it was finished with. The extra work thrown on the staff had been considerable at the beginning of each year but was done at the cost of a certain amount of dislocation. It is clear that if this registration takes place once every quarter instead of once annually only it will be necessary to provide some temporary staff. Similarly the tax is to be paid into the treasury. I do not think it will be seriously contended that some of the bigger treasuries, such as Lucknow where there are over 6,000 vehicles, will have to receive large amounts of money, check all the forms and do all sorts of miscellaneous work in this connexion. Therefore it is possible that some expenditure for extra staff will be required and possibly travelling allowance will be paid to the members of the Board. Sir, I would emphasize that not a single penny will be spent unless the Government are fully satisfied as to the necessity of appointing this staff. So far as we are aware, no extra staff has up to now been engaged in any police office. We have authorized the engagement of extra staff within certain limits in some of the treasuries, such as Lucknow, Cawnpore, Meerut, Agra, Allahabad and in other places where the number of motor vehicles is so large as to make it necessary that extra staff be employed. We are not in a position to estimate accurately the amount which will be required, but the provision is provisional only and it will not be spent unless it is necessary. What is spent will be met from the Road Fund and not from the police charge either on the police budget or on the provincial budget. Sir, that in view of the fact that this provision is a new one, I am not in a position to give accurate information as to the amount which will be required, but having been made is subject to a limit of only Rs. 25,000. The income from the Taxation Act, honours and other sources, this provision is not only necessary, but it is not excessive.

Khan Bahadur Haji Muhammad

with your permission I want to move an amendment which has been moved by Khan Bahadur Muhammad. The amendment is that Rs 25,000 be substituted for Rs 50,000. The amendment is that after listening to Mr. Frampton it is evident that the scheme at the moment for which they are asking the Council and we are at a loss to understand the amount spent. I have very carefully studied the scheme by the Finance Department in this connection of establishment (d), if the honourable

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find a provision of Rs.50,000 for establishment for the registration of motor vehicles. The cost of such extra establishment will be ultimately recouped from the Provincial Road Fund for which a credit of Rs.50,000 has been taken under police receipts. The burden of this establishment will not therefore fall on the provincial budget, as Mr. Frampton has pointed out. There are certain sections in the Act which empower the Government to recoup the money from that fund. We entirely agree with him on that point and there is no question about the authority. But the question is, how is this amount going to be spent? Nothing has been said either in the speech delivered by Mr. Frampton or in the memorandum to justify that this sum of Rs.50,000 is actually required to be spent in this year. If certain allowances are to be given to clerks in connexion with the work which they are going to take in hand, I think Rs.10,000 will suffice for that purpose. Nothing has been said as to the agency which the Government intend to employ for this purpose. Rather the Government itself has nothing definite in mind so far. The major work in connexion with this new scheme has finished in the beginning of the year and the remaining work will not be so heavy as has been dealt with in the beginning. There is no urgent need of employing any extra agency for the remaining part of the year. Had there been any necessity for employing extra hands then it would have been in the fitness of things if these people would have been employed quite in the beginning, but such a thing has not taken place so far. Instead of making a proposal that the whole amount should be taken away I have contended with moving that only Rs.25,000 should be reduced so that Government may have Rs.25,000 at their disposal to spend in this connexion. If they want more after framing the scheme, it is up to the Government to come, before this House and ask for more money, rather for as much money as they may require. But without having any concrete scheme this House will not be in a position to sanction such an amount. It is true that the Government will see that nothing is spent until it is absolutely required. But I think it will not be fair for the Government to ask this House to sanction Rs.50,000 unless and until they satisfy this House in this connexion. Therefore I am sure that the Government will see its way to accept the motion which I have moved, because I do not want to embarrass them in any way. My point is only this that they are themselves not sure at the present moment how much money they require. Therefore to lock up this sum under this head is not proper. If the Council sanctions this amount it will be locking up that amount because it will be taken away from the Road fund and it will remain lying there. On the contrary it may be spent on more useful work. Therefore it will be fair if they ask for only Rs.25,000 at the present moment and if they really require more and prepare certain schemes in that connexion they can come forward and ask for more money and the House will then readily accept the proposal. With these words I commend my amendment to the acceptance of the House.

The Hon'ble the Home Member : Sir, it is hardly correct to state as the last speaker has said in his speech that no persons have been employed for the purpose mentioned. We have had already more than one . . .

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : On a point of personal explanation, Sir, I never said that no persons have been

employed. I said that so far as the budget memorandum and the speech of Mr. Frampton are concerned, nothing has been mentioned to this House that extra persons have been employed in this connexion.

The Hon'ble the Home Member : Sir, I think Mr. Frampton mentioned—perhaps the honourable member did not hear him—that appointments had been made of clerks in certain treasuries and it is quite possible, in fact probable, honourable members will remember in this connexion that this new registration and licensing only commenced a few weeks ago—that there will be further appointments in districts. In some places the number of motors is large. In these circumstances I have not the least doubt that extra work will be thrown on the existing staff in certain places which they may not be able adequately to cope with unless some help is given. The honourable member complains of the absence of a scheme. Now, Sir, if we sent round a circular letter to district authorities asking them how many extra clerks they would require, the honourable member might object that they would come up with requests for a large additional clerical establishment. We are not going to sanction any additional expenditure unless we are satisfied that it is necessary. It is not only the Police Department which has to be satisfied, but honourable members know that the Finance Department also has a say in the matter. That department is not in the least likely to sanction the employment of a large number of unnecessary additional clerks. In view, however, of the fact that my friend, Khan Bahadur Maulvi Fasih-ud-din has been somewhat disappointed with our attitude in regard to the number of motions for cuts that he has brought forward, and in view of the remarks of my friend, Khan Bahadur Haji Obaid-ur-Rahman Khan, I am willing to reduce this figure which, as Mr. Frampton has said, is purely provisional by Rs.10,000 that is to say, from Rs.50,000 to Rs.40,000.

The Deputy President : Is there a definite motion before the House that Rs.10,000 be substituted for Re.1?

The Hon'ble the Home Member : Yes, Sir.

Rai Sahib Rai Rajeshwari Prasad : Sir, after the speech of the Hon'ble the Home Member it seems to me that after all the Government itself is not very sure of the position. The Hon'ble the Home Member has said that the Finance Department will impose a check on their activities. Sir, I do not know how, after this House has given its sanction for the expenditure of a sum of Rs.50,000, or even Rs.40,000 the Finance Department will come in their way and try to impose a check with regard to the expenditure of Rs.40,000. It has been urged, Sir, that a certain number of clerks have already been employed in order to cope with the extra amount of work in connexion with the registration of motor vehicles. I do not know, Sir, how much this employment of clerks in the treasuries or in the police offices will cost, and apart from the mention of stationery and a few clerks, no substantial item of expenditure has been mentioned . . .

Rai Bahadur Vikramajit Singh : Travelling allowance of members.

Rai Sahib Rai Rajeshwari Prasad : My friend, Mr. Vikramajit Singh, says that the travelling allowance of members has also to be taken into account. If, Sir, the intention is that about Rs.25,000 or Rs.30,000 or the major portion of this sum of Rs.40,000 is to be accounted for by

[Rai Sahib Rai Rajeshwari Prasad]

travelling allowance, I respectfully submit that this is a very large sum to be accounted for by travelling allowance. We do not know what exactly the activities of those officers will be, how far they will be able to check, how many officers there will be, and what amount of travel they will do over the province: and it is always open to the Government, once they have seen the necessity of having so many persons to do the travelling work, to come before the Finance Committee for increasing the number and then again come before the House. But our difficulty is this that once we have given our assent to the sum of Rs.40,000 being spent I do not think it will be up to the Finance Department or in fact the Police Department to curtail that sum of money. The Hon'ble the Home Member said that if we make an inquiry from districts with regard to the number of clerks they need, they will possibly come forward with demands which would justify the sum of Rs.40,000 or even Rs.50,000. Sir, if only a hint were to be given that the sum of Rs.50,000 has got to be spent, I should think that districts will come forward with a larger demand. The question which we are up against at the present time is that knowing full well that no scheme has definitely been chalked out by the Government, I was thinking that the Hon'ble the Home Member would see his way to agreeing for the time being to the sum of Rs.25,000. But I still remain dissatisfied with the account of the way in which this money is going to be spent which has been given by the Government, and I do think that on a second thought the Hon'ble the Home Member will be able to agree to the reduction of the sum by Rs.25,000 instead of insisting on a reduction of Rs.10,000 only. I support the amendment which has been moved by my friend, Mr. Obaid-ur-Rahman Khan.

Khan Bahadur Maulvi Fasih-ud-din: I have nothing to say after the Hon'ble the Home Member has adopted the suggestion which I have made.

The Deputy President: The motion moved was that under sub-head C—District Executive Force (a) District Police, 2. Pay of Establishment—establishment for the registration of motor vehicles, a reduction of Re.1 be made.

Since when two amendments have been moved—one that for Re.1, Rs.25,000 be substituted and the other that for Re.1, Rs.10,000 be substituted.

The question is that for Re.1, Rs.25,000 be substituted.

The question was put and negatived.

The Deputy President: The question is that for Re.1, Rs.10,000 be substituted.

The question was put and agreed to.

The Deputy President: The question is that under sub-head C—District Executive Force (a) District Police, 2. Pay of establishment—establishment for the registration of motor vehicles, a reduction of Rs.10,000 be made.

The question was put and agreed to.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : I beg to move that under sub-head C—District Executive Force—(a) District Police—2. Pay of establishment, a reduction of Re.1 be made.

If we look at page 168 of the Detailed Estimates we find that there is an increase in the expenditure budgeted under this sub-head for 1936-37 amounting to Rs.1,04,000 as compared with the revised estimate for 1935-36 and of Rs.1,50,000 as compared with the budget and supplementary grants for 1935-36—a difference of even more than that if we compare the figures of actuals for 1934-35 with the budget figures for 1936-37. Out of this the amount of Rs.50,000 has already been discussed. Besides there are certain other heads under which there is an increase. The explanations which have been supplied to this House show that there is an increase of Rs.77,000 under executive subordinates as the net result of plus Rs.10,000 due to the creation of a post of an inspector for the control of motor traffic in Dehra Dun and changes in the regrading of inspectors transferred from the railway police, plus Rs.30,000 due to the creation of a post of prosecuting sub-inspector in each of the districts of Cawnpore and Azamgarh, and so on. My first point is these Rs.10,000 which are due to the creation of a post of inspector for the control of motor traffic in Dehra Dun ought to have been met from the Petrol Fund, because there is an idea that all the expenditure which will be incurred in connexion with that item will be met out of the Petrol Fund. I would like to know why this is not going to be met from that fund. My second point is how much money Government propose to spend in the regrading of inspectors transferred from the railway police; what are their scales; are those grades different from the grades of ordinary inspectors or are they exactly the same; and if there is some difference why is there that difference in that connexion and how much difference is there; and what are the duties entrusted to these inspectors; was the sanction of the House ever taken before giving effect to the proposal? And if such a sanction has not been taken up to this time, what was the authority for making these changes? I think it would have been much better if the Council had been in possession of the whole scheme and all relevant facts.

With these remarks I resume my seat.

Mr. H. J. Frampton : As far as the increase in expenditure under this sub-head is concerned I think most of the explanation of the figures has already been given. There is an increase, as has been pointed out, of just over one lakh, of which Rs.50,000 is due to the provision for the staff required in connexion with the imposition of the Motor Taxation Act. The other items are due, as I have already tried to explain, to a reduction in the estimated savings and to the normal increments of pay. For instance a certain number of clerks whose increases were due and constables who get grade promotions, account for that increase. There are a number of other details, but I do not think it is necessary to go into them. I shall be glad to give any information to any honourable member afterwards who may want it.

It was asked why the cost of the post of traffic inspector at Dehra Dun (which incidentally was provided in the budget of last year) cannot be debited to the Petrol Fund? I gather that what the honourable member had in mind was not the Petrol Fund, which is properly speaking

[Mr. H. J. Frampton]

derived from an All-India tax, but the provincial road fund. I rather doubt if we should be entitled under the provisions of the Motor Taxation Act to divert that money which was expressly reserved for the purpose of the maintenance of roads, to the employment of police solely required for traffic control. Apart from that we have not yet got the money from the road fund from which we could pay for this post of traffic inspector. I think that, as we are bound in this matter as in other matters by the provisions of the Motor Taxation Act, which limits us to spending the money on the improvement of roads and on contribution to local bodies, there would be quite strong objections if we diverted that money to the payment of the traffic inspector at Dehra Dun.

I do not think there are any other matters to be answered.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : What about the scheme of regrading of railway inspectors ?

Mr. H. J. Frampton : I am sorry. As honourable members are aware the scheme was brought into force as early as April, 1932. In essentials the scheme was to do away with the independent railway police separately recruited and to place most of the duties of their posts under the control of the District Superintendent of Police. A certain number of duties remained with the railway police, duties which concern crime on running trains, for instance, which concern more than one district. Since that scheme was brought into effect we have from time to time been trying to transfer the budget provision under the head Railway Police to the head District Executive Force. Two years ago a greater part of the budget was transferred. So the provision in the budget this year merely completes the process which was started two years ago and represents no increase in expenditure, but is simply a surrender or transfer due to the observance of the proper rules of finance and accounting propriety.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, there are still certain points upon which I am not satisfied after listening to the speech of the honourable member who has just preceded me. One is unable to understand how it is that there is no increase under the head which I had mentioned in my speech about regrading of inspectors regarding which a reference was made by Mr. Frampton. On the other hand, it has been stated explicitly in the budget memorandum which I quoted a few minutes ago that there is an increase. Sir, I wanted to know from the Government what the regrading meant, how they proposed to do that regrading. They have not put any scheme before the House so far to show how that grading is to take place. It has been said that some action was taken in that regard in 1932, but it was not stated whether any scheme was put before the House for sanction. Secondly, it is very difficult to understand when certain agency is proposed to be employed under the new Acts how is it that a certain traffic inspector is going to be appointed in Dehra Dun, apart from it and why not one is to be appointed at Naini Tal where a very serious and unfortunate accident causing death of the late Sir Charles Kendall took place last year, regarding which my friend on my left put a series of questions. I think it will be in the fitness of things if the House asks the Government to see that the motor traffic at Naini Tal is also controlled in a more suitable way than it has been done so far. It is in a highly unsatisfactory state and there is always fear of accidents. Every one who had an opportunity of motoring on

that road knows it very well. Therefore if the Government has an idea of controlling motor traffic in Dehra Dun and Mussoorie, they must make a move in that connection on the Naini Tal road also. There is an increase of Rs.77,000 under the head which I have already mentioned. But now it is said that there is no increase. So I want to know from Government, is there no such increase as is mentioned in the memorandum. There seems some misunderstanding. It is for the Government to explain the position, so that honourable members may understand what is really meant by putting down the sentence referred to above.

Mr. H. J. Frampton: Sir, I think the honourable member is referring to the increase which, as I stated some time ago, is due to the regrading of 13 inspectors who were transferred from the Railway Police to the District Police. I hope, Sir, I never said that when they were transferred their posts were abolished. There are various grades of inspectors. Inspectors are paid at Rs.180, Rs.200, Rs.260 and Rs.300. When these men were transferred from the Railway Police to the District Police they were naturally put under the District Police according to their grades, so many in each grade, and they should have been so provided under this budget head. I regret that though I have the particulars of separate grades I cannot give them offhand, but by an oversight the budget only accounted for an increase in the same number of posts but all at the bottom grade, viz., Rs.180. The difference is, therefore, due to allowing for the difference between Rs.180 and the amounts that were required for the raising of the pay to the amounts which they actually draw. I hope that this explanation will satisfy the honourable member.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: I wanted to hear the Hon'ble the Home Member on the points that I had raised.

(Towards the beginning of the speech below the Hon'ble the President resumed the Chair at 3 p.m.)

The Hon'ble the Home Member: I thought that Mr. Frampton had answered most, if not all, of the points which were raised by the honourable member. He explained why it was not possible for us under the Act to have the traffic inspector at Dehra Dun paid from the Road Fund. I am sure that, even if it was possible, my colleague, the Hon'ble the Minister for Local Self-Government, and probably many members of this House, would object on the ground that there would be so much the less money to be devoted to what is an urgent need of these provinces, namely the upkeep and repair of our roads.

Mr. Frampton has pointed out that there is no question of any increased number of posts. The enhanced provision is almost entirely due to incremental scales of pay, and as regards the one increase, which the honourable member did not understand, he has explained that it was due to a mistake by which a number of inspectors were wrongly placed in the lowest grade when they were transferred from the Railway to the District Police.

The honourable member also referred to that very regrettable accident which resulted in the death of the Hon'ble Justice Sir Charles Kendall last year. The Government at once took up the question of better provision for the safety of passengers on the Naini Tal route. There is an inspector at Naini Tal who supervises motor traffic. Stricter supervision is exercised

[The Hon'ble the Home Member]

over drivers, the grant of licences, and the quality of motors. Accidents will happen from time to time. But I think that honourable members know that the number of deaths in motor accidents on the hill road from Kathgodam to Naini Tal has in the past been very small, and I see no reason to expect that in 1936 there will be a repetition of the unfortunate accident which occurred to Sir Charles Kendall last year.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head C—District Executive Force—(a) District Police—3. Allowances and honoraria—Allowances for purchase of uniforms, horses and saddlery to gazetted officers, a reduction of Rs.4,200 be made.

I find that the budget of 1935-36 provided Rs.5,150 and the present budget provides almost double that amount, viz., Rs.9,350. Thus there is an increase of Rs.4,200 under this head. We have just seen that there has been a very great increase of about Rs.1,700 in connexion with the purchase of new tents and again we find here that there is an increase of Rs.4,200 in connexion with the supply of new uniforms, etc. to the officers of the department. Of course I do sympathize with the officers of the Department when they claim new uniforms and when they want to put on better ones, but at the same time we must consult our pockets and we must look to the interests of the tax-payer. I hope that at least this cut motion of mine will be accepted by the Hon'ble the Home Member. We are aware that some of the uniforms are not as good as they ought to be and have been worn out, but these officers should content themselves for one year at least and forgo their claim for the renewal of the uniforms. I hope that this motion of mine will be accepted.

Mr. R. A. Horton : Sir, the item to which the honourable Khan Bahadur refers is the provision for the renewal of uniforms, horses and saddlery to gazetted officers. The amount shows this year an increase of Rs.4,200. I may explain that uniform allowances are given to the officers of the Imperial Service, as also allowances for horses. Similar allowances are also given to the officers of the Provincial Service; they were given on the recommendation of this Council. These allowances are not given annually. In the case of uniforms the allowance is given once in every ten years, and in the case of horses once in every seven years. It just so happens that in the ensuing year the renewals fall due and this has necessitated a greater expenditure of Rs.4,200. There is no increase whatsoever in the amount of grant to be given to any of these officers. It just happens, as I say, that more will fall due during the ensuing year. I hope that that makes the matter clear and the honourable member will be pleased to withdraw his motion.

Khan Bahadur Maulvi Fasih-ud-din : I should like to know from the Inspector General the nature of the grant of Rs.5,150 that was given last year and whether this sum of Rs.9,000 provided in the budget before us relates to a new grant.

Mr. R. A. Horton : That was exactly the same kind of expenditure. The amount varies each year according to the number of officers becoming entitled to receive the allowance according to the year of their appointment. It so happens that a larger number of officers will receive the grant during the ensuing year and possibly it will be less next year.

Khan Bahadur Maulvi Fasih-ud-din : I beg to withdraw my motion.
The motion was, by leave, withdrawn.

The Hon'ble the President : There are two motions for reduction under the sub-head "Rewards," one no. 12 by Thakur Muneshwar Bakhsh Singh for a reduction of Rs.15,000 and the other no. 13 by Rai Bahadur Babu Jagadeva Roy for a reduction of Rs.50,000. As the second motion asks for a larger reduction, it will come first in order and Thakur Muneshwar Bakhsh Singh can move an amendment if he wishes to.

Rai Bahadur Babu Jagadeva Roy : I beg to move that under sub-head C—District Executive Force—4. Rewards, a reduction of Rs.50,000 be made.

Sir, in moving this motion I must make my points clear in the very beginning. The proposed reduction may seem to be rather high, but we have to see whether it is going to affect the efficiency of the police force in any way or not. The motion does not touch their salaries in the first place. In the second place, it does not affect the duties which the police force are enjoined as a whole to perform. Even if the provision made for rewards is reduced by a sum of Rs.50,000, it will not entail any hardship on any police officer, while it will give some relief to the finances of this province. We find that in the year 1935 a sum of no less than Rs.86,534 was given away in rewards to police officers out of the police budget. Then a further sum of Rs.40,340 was given to the police officers through courts. I am not quoting this from the budget but from the answer given to the question which was put in this House only a week or so ago. Then we again find that private persons were given rewards from the police budget to the extent of Rs.13,539 and to the extent of Rs.3,634 through courts. It is very significant to find that private persons were given rewards only to the extent of Rs.17,173, whereas police officers were given rewards to the extent of Rs.1,26,746. It is a question of principle and requires consideration. If police officers discharge their duties bravely, they do no favour, but, of course, if private persons give some sort of help for which they are not paid, it is necessary to give them rewards. I think on principle police officers should not be given rewards, otherwise they will always look forward for rewards whenever they perform their duties efficiently. I would, therefore, say that a police officer is bound to perform his duties efficiently, intelligently and in a praiseworthy way, but it does not stand to reason to give him rewards for doing so.

I am not proposing a total reduction under this head, firstly because it may not be accepted by the Government, and secondly it may not have the effect of removing away all the temptation of rewards which is before the Police force at present. We should at present agree to the reduction of Rs.50,000 in the grant of over a lakh and from the experience gained we should see whether this temptation should be kept at the same level, should be done away with altogether, or what other alternative can be put forward. Government should not think that a sum of Rs.50,000 is going to be reduced. On principle, I think it is necessary that these sort of rewards should not be encouraged. There are other departments also which may claim such rewards. There ought to be a fixed principle. When we pay our officers so highly, there should be no question of special pay, for which we find a general tendency these days, or rewards. They should perform the duties that are entrusted to them

[Rai Bahadur Babu Jagadeva Roy]

without any temptation. For these reasons I press that my cut motion should be considered seriously.

Thakur Muneshwar Bakhsh Singh : Sir, I beg to move that Rs.15,000 be substituted for Rs.50,000.

I have made the motion of my friend Rai Bahadur Sahib very moderate by amending it. I feel that a very large sum is being spent on rewards. As has been pointed out by my friend Rai Bahadur Sahib an enormous sum has been awarded this year. But I think that also includes rewards in Excise cases. In Excise cases courts also give rewards to sub-inspectors and other police officers. I think in the Police Department we cannot do away altogether with these rewards, because they have to be encouraged for acts of bravery and courage. I think that in certain cases and for that reason we cannot abolish altogether these rewards and it is but necessary that we must give rewards to encourage people so that others may have impetus to do as good work as others do. These rewards are for specially distinguished services, but, Sir, my case for reducing the amount by Rs. 15,000 is a very strong case and unassailable because in search for economy the Government found that Rs.15,000 can reasonably be cut short under the head of rewards without affecting the efficiency of the police force and so it was done this year. Rs.15,000 were cut down from this year's budget expenditure and I see no reason why this should be restored for the next year. In Annexure I to Volume II we find that the detailed estimates of retrenchment restored in 1936-37 are given. It is given there that rewards to the extent of Rs.15,000 are restored this year. But I do not see any reason why they were restored. The police officers did their duties. Well it is not the amount of the rewards but it is the name of the reward that encourages an officer. If an officer is given only Rs.8 instead of Rs.10 it matters very little but at the same time we cannot reduce the amount as suggested by my friend Rai Bahadur Sahib because there are many officers who get only Rs.10 or Rs.15 and there are chaukidars who are also given rewards. For that reason I propose that only Rs.15,000 be cut under this head.

Shaikh Muhammad Habib-ullah : Sir, since I am not in a position to scrutinize the figures of the rewards that have been given in individual cases every year I am not prepared to say whether a cut of Rs.50,000 or a cut of Rs.15,000 is permissible. But, Sir, dealing with the question of reward as a matter of principle I am for rewarding the police because after all

The Hon'ble the President : I am afraid that the point is whether the amount of reward should be reduced or not.

Shaikh Muhammad Habib-ullah : I very much doubt if any reduction in reward is possible.

The Hon'ble the President : The principle of reward is not at issue.

Shaikh Muhammad Habib-ullah : The principle of retaining the reward here applies. I do not want a reduction in the reward. On the floor of this House I think there have been several discussions before when the police integrity, and the honesty has been in question and they have been called corrupt. Their salary, as we all know, is not up to the standard which will place them beyond temptation. Now [the expression "police officer" appears to have been misunderstood by my friends in

this House. A "police officer" means a man belonging to the police force from the lowest to the highest position. It is in this sense that the expression "police officer" has been used in the Budget. Taking it for granted that nearly rupees one lakh is spent for the entire police force, as rewards for individual, specially good work, what does it come to? It does not come to very much. There are three departments of the police which are rewarded at times. Number one is the C. I. D. the members of which do their work in a way which is not seen on the surface. Their work is not exposed to public view. The C. I. D. officers have to take at times risks to their lives and only those people who are in touch with these police officers can say that sometimes their work can be easily weighed in gold. If we go to the provinces where there are movements of which the activities involve danger to life of the officials and non-officials we can see and find out the work of the C. I. D. in stopping all those subversive movements. Then there is another department of the police which has got to do the work which needs to be rewarded. I mean the ordinary Investigation department. There sometimes the police officers have got to confront the dangerous onslaught of people like the notorious dacoits in saving the life and property of the people. There again the life of a police officer is open to danger. It is not only open to danger, it is also at times open to very serious temptations and when he works honestly I think he must be rewarded. In this connexion I may say that the police throughout the whole of India, especially of the United Provinces, is underpaid. Look at the power which the sub-inspector has got of arresting people under the Criminal Procedure Code, and what is his pay? If we do not raise the pay of our subordinate police and invest them with powers of this nature and even deny them a reward when they deserve it, it might lead to very serious results. Sir, both as a private person as well as an official I have always been in favour of giving rewards to police officers on such occasions when they have earned them. Now we have got here an old experienced officer at the helm of police affairs who has been the head of the Criminal Investigation Department and then we have here an Indian officer, the Hon'ble Home Member, who has had experience of district and magisterial work who is in charge of the police department. Can we not trust these distinguished members to scrutinize the figures which are allotted for rewards in the Budget of police department? It is very easy to say "Let us cut the amount by Rs.15,000 or by Rs.50,000." We have got 48 districts and three departments of Police whose claims we have got to think of. Well, if I do not forget there are about half a lakh chaukidars in the province and what is their salary, if I do not mistake it is somewhere near Rs. 3 per mensem. Well, Sir, if these chaukidars are not rewarded for good work what would be the result. The chaukidar, if I mistake not, is within the meaning of the Police Act a police officer.

Khan Bahadur Maulvi Fasih-ud-din : No.

Shaikh Muhammad Habib-ullah : I am subject to correction on that point. The constable certainly is. Now, Sir, if these chaukidars and constables do not get rewards when they do good work it will be really a denial of their right claims. What else there is for them to look up to except the little reward which they receive? Sir, I think it will be a great mistake if in the circumstances prevailing in these provinces and the low

[Shaikh Muhammad Habib-ullah]

salaries which the subordinate police get we discontinue to reward them. Certainly it will be a false economy to cut down the expenditure on rewards.

Raja Jagannath Bakhsh Singh : Sir, although it is not the right moment to speak on the principle of rewards, yet I must say that the subject is such on which one can speak for a much longer time and I am glad the honourable member who has just sat down did not take the valuable time of the Council more than he actually did. Sir, the honourable member who has moved the cut as far as I could make out from his speech, has suggested this cut because in the interest of economy and in such hard circumstances he just put his finger on this one item to point out to the Government to effect a reduction in this item if they may be keen to do so. Another honourable member sitting behind me moved a substantial amendment. He fully realized the necessity of providing a substantial amount under rewards in this department. But he said that Rs. 15,000 were already reduced by this Government during the current year, probably it might be possible for the Government to continue that reduction for the next year, and it was particularly on this point that his case stood. This he made quite clear. So far as I think he also made it clear that he was not particularly keen to press the Government on this point. It was just to suggest that here there was room for economy and that a strong argument in favour of such economy was the action of this Government itself during the current year and I do not think that it is at all necessary to enunciate the principles under which a provision of reward is made in this budget. I do not therefore think that it is necessary to press the motion which is before the House.

The Hon'ble the Home Member : Sir, honourable members have pressed for a reduction in the amount of rewards given to the police. The first speaker, my friend Mr. Jagadeva Roy, has suggested that the amount should be reduced by 50 per cent. The second speaker, Thakur Muneshwar Bakhsh Singh, has been more generous towards the police and in view of the figure which he found in the budget in the revised estimates for the current year, has suggested a cut of Rs. 15,000 only. I think that many of the arguments that have been used by these two honourable members have been answered by my friends, Shaikh Muhammad Habib-ullah and Raja Jagannath Bakhsh Singh. I shall only draw the attention of honourable members to a few points. If they will see the figures under rewards a few years ago, they will find that in 1930-31 the total allotted under this head was Rs. 1,43,000. For the next financial year we are asking for only a little over Rs. 1,00,000. That is to say during the past five or six years there has been a large reduction amounting to over Rs. 40,000. As my friend, Shaikh Muhammad Habib-ullah pointed out, these rewards have to be distributed to the various branches of the police. He might have mentioned the Traffic Police. Some of them do a great deal of responsible and onerous work which increases year by year with the increase in the number of motors. A part of this sum of Rs. 1,00,000 should go to them. The police are somewhat different in respect of rewards from other services. As my friend Shaikh Muhammad Habib-ullah has pointed out they often have to risk their lives. In my opening speech today on introducing the budget I mentioned that a large number of prominent dacoits had been arrested during 1935. Now all or almost all of these dacoits

have firearms and are ready to use them. Some of them have been guilty not only of dacoities, but of murders and they know full well that, if they are arrested, in all probability they will be executed. A man of this type does not hesitate to take the life of the person to whom he is opposed, and almost every year we read of officers as well as the rank and file of the police who have been killed or wounded in the discharge of their duties. Then I draw the attention of honourable members to the fact that this is not the only department in which the rank and file or subordinate officers, receive monetary rewards. There is the Excise Department. I understand that a sum of Rs.50,000, half of the amount proposed for 1936-37 in the police demand has been asked for in the Excise budget. And Sir, what after all is one lakh of rupees in rewards for a force which numbers over 30,000 officers and men in these provinces? The figure works out, if we exclude rewards payable to private individuals, at something between Rs.2 and 3 per head. I do not think that one can reasonably or always expect from a police official especially of the rank and file, that high sense of duty which Mr. Jagadeva Roy expects without some kind of encouragement. They are but human, and human beings, especially when they are not highly paid persons, appreciate encouragement. What are honourable members themselves doing from time to time? If they find that their servant has done some exceptionally good work, they do not say, "This is my servant. He gets a monthly salary of Rs. 12 or Rs. 14 and therefore, he should always work from a sense of duty and expect no rewards".

Mr. C. Y. Chintamani: No.

The Hon'ble the Home Member: Quite so. What Mr. Chintamani and what other honourable members will do in such cases is that they will at once make an addition to the man's monthly salary in the form of a substantial tip or reward. That exactly is what we ask honourable members of this Council to do in the case of the police. It is true, as my friend Thakur Muneshwar Baktsh Singh pointed out, that in the revised estimates for 1935-36 a sum of Rs. 87,000 only has been provided. The reason so far as I remember, is that a summary cut for 1935-36 was made by the Finance Department in all or about all budgets. It was intended to be purely temporary but it has had unfortunately serious consequences in regard to rewards. My honourable friend the Inspector General tells me that he has already expended the total sum allotted in his budget for the current year with the result that he is unable to pay any rewards for the very good piece of work which was recently done in Jalaun in the capture with arms and ammunition of a large number of men. Well, Sir, that has been one result of this temporary and summary cut. It is the easiest thing for the Inspector General and for Government to effect economies in the summary way proposed by my honourable friends. All that the Inspector General need have done would have been to say, "Well, out of the four lakhs of permanent retrenchments proposed by me 20 or 25 per cent. will be met by the summary abolition of all rewards for the police." He could have suggested that quite easily; he could have recommended a cut of Rs. 15,000 or Rs. 40,000 or even Rs. 50,000. He did not do so, because he knows the force. He knows the subordinate police and the rank and file and he is aware of the good work that they do in times of great difficulty and of the encouragement that they deserve. He has in consequence recommended other forms of economy. I would, therefore,

[The Hon'ble the Home Member]

earnestly ask the two honourable members to examine the question afresh in their minds after what I have said and not to press the motion.

Rai Bahadur Babu Jagadeva Roy : It is not a new thing, Sir, on an occasion like this to hear this kind of reply. There has always been a material difference in principle where one has to pay and the other has to spend. Here the Hon'ble the Home Member wants to convince us on the ground that the number in the police force is very large and if this amount for rewards is distributed among all it comes to Rs.2 or Rs.3 per head. This is a very good logic indeed. But the question is whether the reward is given on this principle. In other words whether it goes to the pocket of the police employed? I say certainly not. Therefore, I say that this logic fails here.

The second point is that my friend Shaikh Muhammad Habib-ullah has forgotten what used to be the pay of the sub-inspector in those days when he was presiding as a Joint Magistrate or Collector, and when he was so liberal in awarding rewards to police officers. If I am not mistaken they began at Rs.30 a month.

Shaikh Muhammad Habib-ullah : It was the same as it is now.

Rai Bahadur Babu Jagadeva Roy : The pay is not the same now. I say as an officer Mr. Habib-ullah could not really see who was the deserving person and in whose pocket the reward should have gone. We also know that really persons who give help are left behind and police officers come in the front with the show that they have done this or done that. I have not seen the budget of the Military department, otherwise I would have been in a position to say that they too have got responsible duties to perform, they have to run risk and whether they are also rewarded. But I do not know whether they are also rewarded in this liberal way as is proposed here. Therefore my point is that the sum which we want to be reduced is a very moderate one and worth considering. It has been suggested that the duties performed by the police officers are very onerous. An instance has been given of the Traffic Police. I cannot speak so highly of the Traffic Police as the Hon'ble the Home Member does, because he might be seeing the duties of the Traffic Police within the four corners of Lucknow city, whereas we see what is being done outside Lucknow. Therefore my point is that the reasons advanced by the Hon'ble the Home Member are not so convincing as to show that he could not see his way even to reduce the amount by Rs.15,000. He has pointed out that in Jalaun an act of bravery has recently been done and for that there was no reward available. This also does not give credit to the spending authority, for the spending authority should have taken into consideration the fact that there were a few more months left for the year to finish and he should have taken that precaution. It also goes to show that in giving rewards much care is not taken. That is one of the grievances which I do not like to bring on the floor of this House. I did not move for the total reduction of the amount, I wanted to have a comparison in the working of the police officers by reducing the amount for a year or so. But even that was not acceptable. It is considered that because it was done on this scale up till now so it should go on in the future. That is no argument. I, therefore, press my motion at least for a cut of Rs.15,000.

The Hon'ble the Home Member: Sir, I do not like the idea of reducing these rewards. As the Member of Government in charge of the Police Department is maintaining a large number of police I do not wish to take upon myself the responsibility of reduction. Nor do I wish Government to take upon themselves the responsibility of diminishing an amount, which as I have said has already been substantially reduced during the last five years. The police are a deserving body of men. I have given a standing day of the gallantry displayed by some of them. It is only those who deserve them that get rewards. There is no promiscuous distribution. After only one year more we shall have another form of Government. In a matter like this I think that honourable members will be well advised to wait and see what the new Minister will do. My own impression is that he will not agree to reduce the rewards for a body of men who, he will feel, are deserving. I cannot accept the motion.

The Hon'ble the President: The motion was to reduce the amount under sub-head "Rewards" by Rs.50,000, to which an amendment has been moved that the amount be reduced by Rs.15,000 instead. The question is that the provision under rewards be reduced by Rs.15,000.

The question was put and negatived.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I move that a reduction of Rs.1,000 be made in the enlistment charges, I wish to know the reason for this increase in the enlistment charges. I do not think that this increase should be made in view of the financial condition of the province.

The Hon'ble the President: Will the honourable member kindly speak up a bit?

Khan Bahadur Maulvi Fasih-ud-din: Sir I find that the enlistment charges have been increased by Rs.1,000 this year as compared with the amount budgeted for the current year, and no reasons have been given why these charges should be increased. I know that some sort of justification will be put forward, but I think that a budget under this head should not undergo any change.

Mr. R. A. Horton: I think I can make this matter quite plain to the honourable member in a very few words. There is no actual increase in this charge. What I mean by that is that there is no increase in the unit cost of one man. This figure happens to be increased by one thousand rupees merely because the actual average expenditure of the previous three years amounted to Rs.28,114. For that reason this year we are budgeting for another thousand rupees. There is no increase in the actual charges of allowances made. I hope that makes the thing plain to the honourable member.

The motion was, by leave, withdrawn.

Thakur Giriraj Singh: I beg to move that under sub-head C—District Executive Force—(a) District Police—Total, a reduction of Re.1 be made.

Under this token cut I want to bring to the notice of the Government the dissatisfaction and discontent that prevails in the districts on account of the treatment of some of the police officials. I admit that in this department some improvement has been made as regards the morale or conduct of the police officials but the Government have to admit also

[Thakur Giriraj Singh]

that there is still more room for improvement in this department. I know that the head of the department is, in his heart of hearts, in favour of making improvements in the police, but the question is how and what are the sources by which the head of the department can improve the real state of things which prevails in the districts. In every district the head of the department is the Superintendent. If the Superintendent of Police is against any police sub-inspector, it will be difficult, nay impossible, for him to remain in the service. We also know that if a police sub-inspector is suspended or fined or any sort of punishment is inflicted upon him by the Superintendent of Police an appeal from that order lies to the Deputy Inspector General. Perhaps Government's orders are to the effect that police sub-inspector cannot see the Deputy Inspector General or the Inspector General or any other officer in connexion with their punishment. As far as I am aware, when a police sub-inspector is fined or otherwise punished and some witnesses appear against him, he has a right to cross-examine them, but where? In the presence of the Superintendent of Police. If the Superintendent of Police is against the sub-inspector it is very difficult for him to cross-examine the witnesses thoroughly who appear against him specially in the presence of the Superintendent of Police. So I submit that if there is any other independent person on the committee and if the question of his punishment were taken up by that committee, a real decision could be arrived at. Sometimes it is very difficult for the sub-inspector to prove his innocence. It will not be out of place to mention here something about the conduct of certain sub-inspectors of police in my district. Everyone who is an agriculturist knows that among the tenants there are chamars and men of this caste have always been loyal to the zamindars and to the Government. There is a chamar of Tarwa village in police station (at Tarwa). A case under section 110, Criminal Procedure Code, or any other section was started against him, I do not know why, but one thing was clear that the sub-inspector in charge of that thana was against him. He filed a complaint against the sub-inspector in a criminal court to the effect that that man was oppressing him and had demanded from him money. So far as I have been informed the chamar had paid something to the sub-inspector and had promised to pay the balance, but did not fulfil the promise ultimately. The result was that after a month or so a theft was committed in a certain house, and this man was implicated in it. He was called to the thana and threatened that if he did not fulfil his promise to pay the balance; a case would be started against him. He produced a number of witnesses—not men of his caste; so far as I know two of the witnesses were Rajputs. One of these witnesses was paying a revenue of Rs.50 or Rs.60. In the district of Azamgarh there are very petty zamindars and tenants. The sub-inspector then threatened the chamar that he would open a history-sheet against him. I am glad to hear that this sub-inspector has now been transferred from Tarwa police station to Maharajganj by the Superintendent of Police who is popular in my district. There is another Sub-Inspector Muhammad Yakub in the Azamgarh District in regard to whom I put questions in Council. I had asked why in a short period of two or three years he had been so frequently transferred, and the reason given by the Government was that it had been done on administrative grounds. I do not know what Government means by "administrative grounds".

So far as I know, this man's work was not good at all, and if this was the case of his transfer, it would have been much better if he had been transferred away from Amritsar to some other district. This sub-inspector has got a motor cycle. I cannot imagine why he does not keep a car. I admit that during the last three or four years the morale of the police force has greatly improved, but still there is room for considerable improvement specially among the sub-inspectors who work in the mufis-ill. I submit that when recruiting is made in future to the posts of sub-inspector men, attention might be paid to family antecedents, and men belonging to good families and of proved honesty only might be selected for the post.

Now, I will say just a word about the constabulary. If honourable members will look at the budget, they will find that an increase of provision has been made under this head in the next financial year. My submission is that if the Government is really anxious to improve the morale of the police, it should take more literate men in the Police Department than it does at present. The Hon'ble the Home Member said in his opening speech that now the number of literate men in the police has increased. But I would submit that the number should be further increased, because when we find that literate men are available and if they are fit as regards their height, etc., there is no reason why they should not be taken.

The Hon'ble the President: Would not that come under the Police Training School?

Thakur Giriraj Singh: No, Sir. I am talking of constabulary only.

So I submit that in future the Government should take more literate persons for constabulary than it does at present, as educated persons are available in each district. The Hon'ble the Home Member has said in his speech that certain untoward incident has happened in the Police department because some of the men are quite illiterate or half literate. The Government will be well advised to see in order to improve the morale of the police that more literate persons should be enlisted. Thus the grievance which the public have got will be removed.

These are the points which I wanted to bring to the notice of the Government.

Rai Govind Chandra: Sir, Thakur Giriraj Singh has said that there should be an improvement in the tone of the service of the Police Department and I agree with him. There should be a feeling in the Police Department that they are servants of the tax-payer. That they are the servants of the State is acknowledged by them, but will they acknowledge, Sir, that they are also the servants of the tax-payer? If the individual is benefited, Sir the State is to be benefited. I think "service" should be the motto and not the exception. There is no doubt that oppression exists in the districts, and I am sure that the Hon'ble the Home Member who is himself aware of these facts cannot deny that such oppression does prevail in the districts where there is not so much of supervision as it is in the cities. The educated class of people are slowly coming into police force, and I feel, Sir, that it is due to them that there is a change in the tone and it is improving. But I would request the Hon'ble the Home Member to permeate the department with a feeling of sacrifice and

[Rai Govind Chandra]

service before he leaves the department into the hands of the people who may perhaps be less experienced than he is in that particular department. With these words I support the motion which has been moved by Thakur Giriraj Singh.

Rao Sahib Thakur Shiva Dhyani Singh :

راج صاحب ٹھاکر شیو دھیان سنگھ

جناب پریسڈنٹ صاحب - میں ٹھاکر گری راج سنگھ صاحب کے کت روشن سے یہ سمجھا ہوں کہ پولیس میں جو Training school ہے

The Hon'ble the President :

Training school آئندہ آریگا - ابھی نہیں آیا - اس وقت Training

نہیں ہے -

Rao Sahib Thakur Shiva Dhyani Singh :

جو کانسٹیبلان کی بھرتی آج کل ہو رہی ہے اور سب انسپیکٹر صاحبان کی اس کے واسطے گورنمنٹ ایک ایسا level مقرر کرے اور وہ ایسے خاندان کے ہونے چاہئیں کہ جن میں وہ باتیں نہ ہوں کہ جن کی آج کل عام شکایت ہے یعنی خراب لوگ بھرتی نہ کیئے جاویں - آجکل پولیس کا زور ہے اور اس کے سامنے اچھے اچھے شریف لوگ سرنگوں ہو جاتے ہیں اور ایسا ہونے پر پولیس اور زیادہ زور باندھتی ہے یہاں تک کہ وہ لوگ ایسی زیادتیوں پر آ جاتے ہیں کہ جس کا بچہ حساب نہیں - اگر ان کی تحقیقات ٹھیک طور سے ہوتی رہے اور ان کو ان کے officers ذرا دیکھتے رہیں تو اُمید ہے کہ جو یہ malpractices کی شکایتیں ہیں وہ بند ہو جائیں گی - نہ معلوم ایسے لوگ اپنے آپ کو کیا سمجھتے ہیں -

وہ خدا یا یہ زمین - تیری نہیں - تیری نہیں

تیرے آبا کی نہیں - تیری نہیں - میری نہیں

یعنی وہ حد سے گذر جاتے ہیں - اپنے جامے میں نہیں رہتے ان کے واسطے گورنمنٹ کچھ ایسا انتظام کرے جس سے innocent پبلک کے اوپر کسی قسم کا ظلم نہ ہونے پارے - لہذا ان الفاظ کے ساتھ میں اس کت روشن کی تائید کرتا ہوں - لیکن اپنے ضلع میں اس قسم کی کوئی شکایت مجھ کو نہیں ہے یہ ضلع کی خوش قسمتی ہے *

The Hon'ble the Home Member : I agree with my friend Thakur Giriraj Singh when, after admitting that there has been considerable improvement in the tone and morale of the police during the past ten or twenty years, he went on to say that more improvement is necessary. Of course, it is necessary. The police have certainly not arrived at a state of perfection nor have they attained to the very high standard which exists in certain countries such as England. I think, however, that one is rather apt to compare the standard of our Indian police with that obtaining in very advanced countries in the west. I suppose that I have

may find more than most honourable members of this House. I have been to South America, I have been to Africa and the West Indies and I have tried to understand European countries. It is hardly not the case that in most of the rest of the world the police are beyond reproach. Corruption does exist and it is not altogether extinct in England. From time to time there are scandals and there are still black sheep even in such a distinguished body as the Metropolitan Police of London. In some of the southern countries of Europe—such as Italy, Czechoslovakia, Greece, and Bulgaria, I can assure the House that there is still some corruption in the lower ranks and it is not wholly absent in those enjoying higher positions. It will certainly take time to improve the standard of the police in this country to the extent that we all desire. I also agree with the Thakur Sahib when he remarked that more supervision is necessary. Unfortunately, as honourable members are aware, there have been from time to time motions in this House asking for a reduction of the superior staff, whether it be deputy inspectors general or superintendents of police or circle inspectors, but I think that from the point of view of supervision reduction is a mistake. In order to keep sub-inspectors up to the mark it is essential that their superior officers should visit their circles from time to time and inquire from the public what reputation they enjoy.

The honourable mover in the latter part of his speech criticized sub-inspectors while in the earlier portion he rather adversely commented on the action of superintendents of police in not supervising them more closely. That seems to be rather an inconsistent position. He also stated that when a sub-inspector was punished he was unable to see either the superintendent of police or the Deputy Inspector General. I am not quite clear about the details of the regulations, but of one thing I am certain. It is this that every sub-inspector after dismissal or any similar punishment has the right of appeal to the Deputy Inspector General and his appeal against a dismissal, if my memory serves me aright, is heard by a disciplinary board.

I am sorry to know about the unfortunate Chamar to whom my friend referred, for I agree with him that on the whole Chamars are a very law-abiding caste in these provinces. There are other castes more favourably situated who are more criminal than Chamars. I do not know the case to which he refers, except that I understand that he put a question to me in Council. I was expecting a supplementary question, but as far as I remember the honourable member was not present on that day. However, I give him another opportunity. If he sends to me in writing detailed information about this Chamar and about the troubles that he has recently undergone, I shall see whether anything can be done. I presume that the honourable member has taken the opportunity, in the first instance, of speaking to the Superintendent of Police or to the District Magistrate or to both these officers about this person. I think that in his own interest and in the interest of the Chamar it would be better to ask the District Magistrate, in the first instance, to look into the case.

Then, there was the sub-inspector with a motor cycle. I do not know the reason why the honourable member seems to be against the possession of a motor cycle by a sub-inspector. Presumably he implies that he has not purchased this cycle from his salary. Here again if he has any grievance,

[The Hon'ble the Home Member]

I hope that he will bring it to the notice of the district authorities and then, if necessary, come to me.

He suggested that more literate constables should be employed. I think that all the members of this House as well as the Government recognize the desirability of having as many literate constables as possible. Honourable members will remember that in my opening speech I gave figures to show that at the present time a considerable majority of the constabulary are literate. When I go on my tours I find from time to time that Entrance passed persons are now enrolled as constables. In one instance I remember seeing an Intermediate passed constable. That is all to the good. The more highly educated our sub-inspectors are the smaller will be the number of cases of corruption. Mr. Govind Chandra also spoke about corruption. I readily admit as I have already stated, that there are black sheep in the police and that it is our duty, the duty of Government, the duty of the Inspector General of Police, of Deputy Inspectors General, of Superintendents of Police as well as of the public, to do their utmost to get rid of those who tarnish the good name of the police. It is not always very easy. Of one thing I am convinced, viz. that some undesirable things which took place thirty years ago when I started service do not occur to the same extent at the present time. I refer, for instance, to false cases or cases of torture. Honourable members will admit that there has been a considerable improvement in this respect. If only the public would also refrain, especially those who know better, from offering bribes we would have a smaller number of persons taking bribes. Nevertheless, I am willing and I am sure that the Inspector General is willing to take action if responsible persons such as honourable members of this Council will let us have confidentially complaints which they have good reason to believe are true. It is not that we exonerate our sub-inspectors and constables when found guilty. I quoted figures showing that no less than 140 officers and men belonging to the police had been punished during the last two years. I had intended to go to Moradabad during the cold weather but unfortunately the death of His Majesty the King-Emperor prevented my being able to keep my engagement. I had intended if I had gone there to point out to the officers under training how important it is for the police to gain the confidence of the public and to keep as their motto, the motto of service, to which my friend opposite aptly referred. I am grateful for the friendly and rather non-committal speech of my friend Thakur Shiva Dhyan Singh. I think that he was as much in favour of the police as he was critical. Now Mr. Horton and I appreciate the good work of many members of the force including the rank and file. At the same time we deplore any excesses committed by them as much as the public or honourable members of this Council.

Thakur Giriraj Singh : The reason why I raised the question of a sub-inspector having a motor cycle was this that the sub-inspector get horse allowance and no conveyance allowance and they get this allowance only for keeping horses. As regards my question which I tabled I am sorry I was not able to be present at that time because I was granted an interview at that time to see His Excellency the Governor. Anyhow I am glad to have an assurance from the Hon'ble the Home Member that if non-official members will bring to his notice any cases of corruption or

other grievances, he will look into them. In view of the assurance given by the Government I beg leave to withdraw my motion.

The motion was, by leave, withdrawn.

Thakur Jang Bahadur Singh Bisht: Sir, I beg to move that under Section 10—District Headquarters—Force—26 District Police—Total, a reduction of Rs. 100 be made.

I move this out in order to bring to the decision arrived at by the Government with reference to the policy of extending the jurisdiction of the regular police force into the interior of Kumaon. In this connexion I would also like to know the decision which has been arrived at with regard to the police station at Baikiasen in the Almora District.

The Hon'ble the Home Member: Sir, the question is rather a big one and I do not know whether I shall be able to deal with it to the extent required by the honourable member. I am, however, much obliged to him for the brevity of his speech, and I only hope that he will excuse me from making a longer one. I can assure him at once that there is no change in regard to the policy which has been hitherto pursued in the Kumaon Division, viz. that the work of the police in the interior should be carried out to the fullest possible extent by the revenue police and not by the regular police.

Khan Bahadur Maulvi Fasih-ud-din: By patwaris?

The Hon'ble the Home Member: Yes, by the revenue staff. He specifically refers to the question of the police station at Baikiasen. If my memory serves me right, there was considerable disorder in certain pattis in the neighbourhood during the civil disobedience movement, with the result that for quite a long time the district authorities were completely cut off. It was therefore decided that there should be a police station at Baikiasen, that it should be staffed by the regular police and that it should include a number of pattis. The case of Baikiasen is rather peculiar not only because of the trouble to which I referred as having occurred during the civil disobedience movement but also because it is on the pilgrim route to Badrinath. Every year quite apart from the civil disobedience movement and from the trouble arising therefrom there has been a staff of regular police stationed for at least six months of the year. All that has been done is to have a sub-inspector in place of a head constable and to have for the whole year the same subordinate staff as existed before. I am speaking from memory, the file is a big one but I think that in general my statement is correct. There was a proposal to make this police station permanent, but the Government have not done this and for the present it will continue to be on a temporary footing. Generally speaking, I can assure honourable members that there had actually been some retransfers of jurisdiction recently from the regular to the revenue police. For instance the pattis of Dhaniakot and Malikitank have been retransferred to the revenue police. At one time there was a police station at Lohaghat which was abolished in 1933. Mr. Catless recommended that there should be a new thana at Thingabanj, but Government have not accepted his proposal. Again in Almora Government excluded two pattis, Talla Syunera and Talla Tikhun from the jurisdiction of the regular police. They had been brought under this jurisdiction in, I think, 1932. The policy therefore of Government is that

[The Hon'ble the Home Member]

they consider that the present system of revenue police which has existed for a long time and which is suited to the requirements of the people living in the hills should be continued. One important exception has been made, I think, in the case of a police station at Bhowali. As far as I remember my honourable friend Mr. Prem Ballabh Belwal did not have any objection to this thana. It is on an important motor road and can scarcely be said to be a thana in the interior.

Pandit Prem Ballabh Belwal : As the Hon'ble the Home Member has made a reference that I did not make any objection to retaining the thana at Bhowali I would like to say a few words. Sir, in fact we want that the jurisdiction of these police stations should be confined only to motor roads as they have to control the traffic. But we are opposed very much to the idea of extending the jurisdiction in the interior. As regards the thana of Bhowali, we have no objection to its retention. But of course we strongly object to its jurisdiction being extended to the interior of the hill pattis. As far as I think the Government has not gained anything by extending the jurisdiction in the interior against the wishes of the public. There is the patwari already there who is still in charge of the circle and does every kind of work except that the police has also been invested with powers to take cognizance in criminal cases. It is not a good policy in the interest of both the Government and the public to have a double authority at one place. There should be only one agency. In fact the patwari is quite competent to deal with all crimes. At times there are instances of ill-feelings between two sections of Government, that is between the patwari and the police, and there have been actually cases which might have come to the notice of Government. My friend wanted, as far as I can gather, that the thana at Bhikiasen should be abolished. It is a just and reasonable request. Except at the time of non-co-operation movement there had been no trouble in that part the country all round is equally peace-loving having good and simple cultivation and I think there are no valid reasons which can justify for the retention of the thana there. The patwari can very well discharge the duties there as well and I think the Government will reconsider the policy in regard to the extension of the jurisdiction of thanas in the interior of the hills.

Thakur Jang Bahadur Singh Bisht : Sir, I thank the Government for having defined their policy with regard to the regular police in Kumaun. I am, however, still of opinion that at least in case of Bhikiasen there had been more fear put into the District Magistrate than should have been. The statement that the police were cut off from the headquarters (that is Almora), is not absolutely correct in the true sense of the word. As I submitted once before the officer who went to the spot in fact got very much scared and therefore he sent that report to the headquarters. I was present at the spot myself just before the regular police was sent and I know the position. As the Hon'ble the Home Member says that the thana has not yet been made permanent, I hope he will be good enough to go through the files and I feel certain that after reading the police reports themselves he will be of opinion that the conclusion which was arrived at in those days was erroneous. I, however, have no objection to the thana remaining there during the pilgrim

season, that is for six months, but for the remaining six months I can assure the Hon'ble the Home Member that the thana people have nothing to do and they simply idle about and are a sort of menace—I hope the Inspector General will have no objection to my using the word—to the vicinity. And even if the situation were assumed to be as has been represented to Government and correct, Bhikiasen can be approached from Rankhet by motor, and there is no difficulty about getting the police at the place in time. I would therefore request the Hon'ble the Home Member, before coming to any final decision, to give the matter further consideration and to come to a final decision after going through the whole case.

The Hon'ble the Home Member: Sir, I am much obliged to both the honourable members who have spoken. I recall with pleasure a recent motor ride in the hills which I had in company with my honourable friend, Mr. Jang Bahadur Singh Bisht. My information regarding the neighbourhood of Bhikiasen during the time of the civil disobedience movement is somewhat different from his. Our file shows that for several weeks the regular police and the district authorities were entirely cut off from certain pattis and that big boulders were thrown upon them from the hill tops. I am, however, ready to give an assurance to the two honourable members that, before the Bhikiasen thana is made permanent, the objections which have been raised by both Mr. Jang Bahadur Singh Bisht and Mr. Prem Ballabh Belwal will be fully considered.

Thakur Jang Bahadur Singh Bisht: I withdraw the motion.

The motion was, by leave, withdrawn.

(The Council adjourned at 4.40 p.m. till the following day.)

[The Hon'ble the Home Member]

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Thakur Jang Bahadur Singh Bisht: I withdraw the motion.

The motion was, by leave, withdrawn.

(The Council adjourned at 4.40 p.m. till the following day.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Thursday, 26th March, 1936

THE Council met at Council House, Lucknow, at 10-36 a.m. The
Hon'ble Sir Sita Ram in the Chair.

PRESENT (59)

The Hon'ble Mr. J. M. Clay.	Raja Sri Krishna Dutt Dube.
The Hon'ble Kunwar Sir Maharsaj Singh.	Raj Bahadur Babu Jagadeva Roy.
The Hon'ble Nawab Sir Muhammad Yusuf.	Mr. Dahari.
The Hon'ble Sir Jwala P. Srivastava.	Thakur Giriraj Singh.
Mr. H. Bornford.	Pandit Prem Ballabh Belwal.
Mr. J. L. Sathe.	Thakur Jang Bahadur Singh Bisht.
Mr. A. B. Reid.	Raj Bahadur Thakur Hanuman Singh.
Mr. P. M. Kharegat.	Raj Bahadur Lal Sheo Pratap Singh.
Mr. A. A. Waugh.	Thakur Muneshwar Bakhs Singh.
Raj Bahadur Mr. Phul Chaud Mogha.	Thakur Jaimdra Bahadur Singh.
Mr. Hafazat Husain.	Raja Jagdambika Pratap Narayan Singh.
Mr. H. J. Frampton.	Raja Birendra Bikram Singh.
Raj Bahadur Pandit Brij Chand Sharma.	Raj Bahadur Kunwar Surendra Pratap Sahi.
Mr. Himmat Singh K. Maheshari.	Mr. C. Y. Chintamani.
Khan Bahadur Munshi Mushtaq Ali Khan.	Raj Rajeshwar Bali.
Mr. Pratap Shankar.	Mr. Zahur Ahmad.
Raj Bahadur Ram Babu Saksena.	Syed Ali Zaheer.
Mr. A. N. Sapru.	Khan Sahib Sahibzada Haji Shaikh Mu-
Mr. A. C. Turner.	hammad Rashid-ud-din Ahmad.
Mr. R. A. Horton.	Khan Bahadur Shah Nazar Husain.
Lady Kailash Srivastava.	Captain Nawab Muhammad Jamshed Ali
Khan Bahadur Maulvi Fasih-ud-din.	Khan.
Raj Sahib Babu Rama Charana.	Nawabzada Muhammad Liaquat Ali Khan.
Mr. Perina.	Mr. Muhammad Rahmat Khan.
Raj Bahadur Babu Awadh Bihari Lal.	Khan Bahadur Haji Muhammad Obaid-ur
Chaudhri Ram Dayal.	Rahman Khan.
Chaudhri Jagannath.	Khan Bahadur Muhammad Hadiyar Khan.
Chaudhri Beldeva.	Munshi Amir Hasan Khan.
Raj Bahadur Sahu Jwala Saran Kothiwala.	Khan Bahadur Haji M. Nisar-ullah.
Mr. Tappu Ram.	Khan Bahadur Shaikh Ghulam Husain.
Chaudhri Ram Chandra.	Khan Bahadur Hafiz Ghazanfarullah.
Chaudhri Ghasita.	Khan Bahadur Saiyid Jafer Hosain.
Chaudhri Arjuna Singh.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Rao Bahadur Thakur Pratap Bhan Singh.	Khan Bahadur Maulvi Muhammad Fazl-ur-
Rao Sahib Thakur Shiva Dhyan Singh.	Rahman Khan.
Chaudhri Dharya Singh.	Khan Bahadur Sirdar Muhammad Shakir-
Raj Bahadur Kunwar Dhakan Lal.	dad Khan.
Thakur Balwant Singh Gahlot.	Khan Sahib Muhammad Imtiaz Ahmad.
Rao Bahadur Kunwar Sardar Singh.	Shaikh Muhammad Habib-ullah.
Raj Bahadur Babu Manmohan Sahai.	Raja Saiyid Ahmad Ali Khan Alvi.
Raj Sahib Babu Kamta Nath Saksena.	Raj Bahadur Lala Anand Sarup.
Kunwar Jagbhan Singh.	Chaudhri Muhammad Ali.
Rao Narsingh Rao.	Raj Bahadur Lala Prag Narayan.
Raj Sahib Ram Adhin.	Raja Bisheshwar Dayal Seth.
Mr. Bhonduram.	Raja Jagannath Bakhs Singh.
Raj Govind Chandra.	Raj Bahadur Vikramajit Singh.
Pandit Shri Sadayatan Pande.	Munshi Gajadhar Prasad.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

TOURING DONE BY THE COLLECTOR, ETAH

*1. **Chaudhri Ram Dayal** (*absent*): Will the Government be pleased to lay on the table a statement showing the tour done by the Collector, Etah, alone and with the Superintendent of Police since his posting in Etah?

The Hon'ble the Finance Member (Mr. J. M. Clay): A statement is laid on the honourable member's table.

(*See Appendix A, page 559*)

COLLECTION OF REVENUE AND CANAL DUES IN ETAH DISTRICT

*2. **Chaudhri Ram Dayal** (*absent*): Will the Government be pleased to state what date was fixed by the authorities for the collection of revenue and canal dues in the four tahsils of District Etah?

The Hon'ble the Finance Member: A statement is laid on the honourable member's table.

(*See Appendix B, page 560*)

*3. **Chaudhri Ram Dayal** (*absent*): (a) Is it true that notices were served on the zamindars and the kashtkars for the payment of the above dues before they fell due?

(b) Why were notices served as aforesaid?

(c) What coercive processes were issued in the above matter?

(d) What action do the Government propose to take in preventing this?

The Hon'ble the Finance Member: (a) No.

(b), (c) and (d) Do not arise.

* 4 and 5. **Chaudhri Ram Dayal** (*absent*): [*Postponed.*]

APPROVERS IN DACOITY CASES IN FATEHPUR

*6. **Mr. Bhonduram** (*absent*): (a) Is it a fact that approvers in dacoity cases are generally kept in the police lock-up at Kotwali, Fatehpur and not in jail? If so, why?

(b) Is it a fact that one Sat Narayan approver in Latifpur and Dundra dacoities was kept in the Fatehpur police lock-up?

(c) Is it a fact that the said Sat Narayan escaped from the police custody in December, 1935, and has yet not been traced?

(d) Is it a fact that the said Sat Narayan was not examined in the Sessions Court and the accused in the Latifpur dacoity were acquitted?

(e) Is it a fact that the City Kotwal and the head moharrir were in charge of the Kotwali on the day when he (Sat Narayan) escaped?

(f) Will the Government be pleased to state as to what steps were taken in the matter of this escape?

The Hon'ble the Home Member (Kunwar Sir Maharaj Singh) : (a) Approves in due city cases, are not normally kept in the Kotwali lock-up at Fatehpur.

(b) Yes.

(c) Yes.

(d) Yes.

(e) The City Kotwal was in charge of the Kotwali and the head of the Kotwali was the guard officer whose duty it was to supervise the relief of sentries.

(f) The Superintendent of Police and the District Magistrate made an inquiry at the Kotwali. A case under section 224, Indian Penal Code, has been registered against Sat Narayan and the police officers at fault have been punished.

CUSTODY OF A HINDU WOMAN BY ONE ABDUL JALIL IN FATEHPUR

***7. Mr. Bhonduram :** (a) Is it a fact that in August, 1935, one Hindu woman was given in the custody of one Abdul Jalil by the City Kotwal, Fatehpur, without taking any security or bond from Abdul Jalil?

(b) Is it a fact that Hindus wanted to take the woman in their custody and one Hanuman made a report to the Kotwal then and there that she had been abducted by a certain Muhammadan, and that she should be given to him who was her caste fellow?

(c) Is it a fact that on the next day 17th August, 1935, Nandan her husband applied under section 552, Cr. P. C., for the immediate restoration of his wife to him?

(d) Is it also a fact that the District Magistrate, Fatehpur, issued warrants of arrest of the woman and Abdul Jalil and Abdul Jalil failed to produce the woman before the District Magistrate saying that he was not legally bound to produce the woman as no security was taken by the Kotwal from him for the production of the woman?

(e) Will the Government be pleased to tell if any action was taken against the Kotwal? If not, why not?

The Hon'ble the Home Member : (a) No : the Kotwal was not present when the woman who had embraced Islam was, in accordance with her own desire, allowed to go away from the Kotwali with Abdul Jalil.

(b) Some members of the Arya Samaj wanted to take the woman away. A complaint was later made by Hanuman that she had been abducted.

(c) Yes.

(d) The District Magistrate issued an order under section 552, Criminal Procedure Code, but neither the woman nor Abdul Jalil could be found. Later Abdul Jalil appeared before the District Magistrate and stated that he could not produce the woman as she had disappeared, and that in any case he was not legally bound to produce her. Nandan, the woman's husband, subsequently withdrew his complaint.

(e) No : as he was not at fault.

KOTWAL AT FATEHPUR

*8. **Mr. Bhondu Ram :** (a) Will the Government kindly say for how many years the present Kotwal has been the Kotwal in Fatehpur ?

(b) Will the Government be pleased to state as to how many thefts and burglaries took place in the city alone during the office of the present Kotwal and how many of them remained undetected ?

The Hon'ble the Home Member : (a) Since 18th February, 1934.

(b) There have been 60 burglaries of which 50 were undetected, and 36 thefts of which 16 were investigated but undetected and eight were not investigated. In eight burglary and twelve theft cases convictions were obtained. Two burglaries are still under investigation.

DAMAGE OF *rabi* CROPS IN THE FATEHPUR DISTRICT

*9. **Mr. Bhondu Ram :** (a) Is it a fact that hail-storm damaged the *rabi* crop in Fatehpur District in villages mostly near the Ganges and the Jumna rivers ?

(b) Will the Government say what steps have been taken to provide relief to the inhabitants of the said villages ?

(c) Is it the intention of the Government to give remissions and suspensions in rent and revenue in these villages ?

The Hon'ble the Finance Member : (a), (b) and (c) : Government have received a brief preliminary report from the local authorities regarding serious damage to the *rabi* crops by hail in parts of Fatehpur District. Collector is making detailed inquiries as to the extent of loss and will submit proposals for relief for the orders of Government.

*10. **Khan Bahadur Muhammad Hadiyar Khan :** [*Postponed.*]

SHORT NOTICE STARRED QUESTIONS

CONSTITUTION OF EDUCATION COMMITTEE OF THE ALLAHABAD DISTRICT BOARD

*1. **Rai Govind Chandra** (*absent*) : Is it a fact that the Government has appointed the District Magistrate of Allahabad under section 168 of the District Boards Act to constitute an Education Committee ?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava) : Yes.

*2. **Rai Govind Chandra** (*absent*) : (a) Did the Government before passing this order ask the Board to explain the reasons of delay in forming the Education Committee ?

(b) If the answer is in the negative will the Government be pleased to state the reasons why no such explanation was called from the said Board ?

The Hon'ble the Minister for Education : (a) No.

(b) Because the Act does not prescribe the calling for an explanation in such cases.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS FOR
GRANTS—(continued)

Grant no. 25. 26—Police (continued)

Khan Bahadur Saiyid Jafer Hosain : Sir, I beg to move that under sub-head D—Police Training School—Total, a reduction of Re.1 be made.

My object in moving this cut is to draw the attention of the Hon'ble the Home Member to the fact that year before last I moved a similar cut and draw the attention of the then Home Member to the fact that the cadets of the Police Training School did not get any allowance during the period of their training in that school. I know that it was owing to the financial stringency that the allowance which the cadets used to draw, viz. Rs.35 a month, was stopped. But since the cuts in the salaries of government servants have been restored, I think the time has come for the Government to restore the allowance which the cadets used to get. When I moved my cut year before last the Hon'ble the Home Member kindly agreed to go into this question and see if he could manage to restore the allowance. Now that the period of training has also been curtailed from 18 months to 12 months I do not think that Government stand to lose very much on account of the restoration of the allowance. After all, many of the cadets who join the Police Training School are members of middle class families and the parents find it extremely difficult to bear this additional cost of maintaining their sons at the school. I would therefore request the Hon'ble the Home Member to view the question which I have raised sympathetically.

The Hon'ble the Home Member : Sir, the honourable member has raised the question of allowances to sub-inspector cadets at the Police Training School. He has rightly stated that as a result of the recommendations of the Retrenchment Committee a few years ago the allowances were withdrawn from certain cadets. They were not, however, withdrawn from all cadets. For instance, I can tell him at once that naik and head constable cadets still get an allowance of Rs.35 a month. In addition this allowance continues to be given to cadets dependent on police officers who are unable to meet the full cost of the course. It is only therefore in the case of certain outsider cadets that allowances are no longer given. The honourable member is right when he says that he referred the question for consideration to my predecessor. Since then there has been a report of an official committee in regard to the Police Training School in Moradabad. That committee did not recommend the restoration of the allowance. I may tell him, however, although I think that he is aware of the fact, that the period of training has been reduced from 18 to 12 months. At the end of 12 months these cadets undergo a course in practical training in district work. During the last six months they all, without any restriction, receive an allowance of Rs.35 a month. For one-third of the total period of training, therefore, all cadets get the allowance, whereas a smaller number receive it for the whole of the 18 months.

Khan Bahadur Saiyid Jafer Hosain : What about the sons of poor parents ?

The Hon'ble the Home Member : Although I sympathize with the sons of poor parents, I think that the honourable member should realize that such parents have to suffer for only 12 months. After these 12 months and for the rest of their career the sons of these poor parents, if they pass, will be in receipt of adequate pay with reasonably good prospects. The honourable member will, I hope, also appreciate the fact that we are at present in desperate need of money and that we are going to effect large economies in the police. I hope, therefore, that he will not at this juncture ask us to increase our commitments.

Khan Bahadur Maulvi Fasih-ud-din : This is a very important question and in view of the importance of this question I consider it my duty to have my say on this subject. As has been stated by the Hon'ble the Home Member the cadets used to receive Rs.35 a month some years back, but now only those cadets receive this allowance who are already in the police service. I submit that it is no concession to those who are already in service to receive this allowance because they have been drawing their pay when they were in service and the Government is not put to much loss by reason of the award of this allowance to those men. Now let us see what the real state of affairs is. These cadets have not only been deprived of this allowance but they have to pay Rs.450 in advance before they are admitted in the Police Training School. Then after they pass the school examination they have to wait for about six months at least before they can get a job. The number of these unemployed passed cadets is increasing daily and my information is that the number is swelling up to a very undesirable extent. Then after having put in 12 months without receiving any allowance and after having waited for about six or seven months they get a job. But I hear that even then they get only Rs.35 a month for another one or two years. If this is the state of affairs then I am sure that the right sort of candidates will not care to go in for the Police Training school. My own information is that there is a very great reluctance on the part of members of good families to send in their sons for the Police Training School and only the sons of very second class members of the society take advantage of the Police Training School. This I think is a very serious matter and ought to receive full consideration of the authorities if they are at all anxious to attract boys of good families and of decent educational qualifications.

Rai Bahadur Babu Jagadeva Roy : Sir, I am very sorry that I do not agree with the cut motion moved by my friend Khan Bahadur Saiyid Jafer Hosain. My reasons are quite different in this respect when I say so. The previous speaker has just remarked that boys of good families are generally not inclined to go to the Police Training School. My point is that really this post of sub-inspector is a responsible post in several senses, and therefore it is very much necessary that poor parents should refrain from sending their boys to such

a responsible post, because the poor boy may not remain aloof from some sort of temptation from which this department is not yet free. So, Sir, in my opinion when we find a large number of graduates applying for this post and they are willing to go to the police training school at their own cost, then there is absolutely no reason to overburden the purse of the tax-payer by giving allowances to those who go to the training school. There might have been days when people were not attracted to go to the police and there might have been a want in those days, and so the system of giving allowances was introduced. That was a better way of inducing people to go to the police. But, now, Sir, when we find quite a large number of boys coming forward without allowances, there is absolutely no reason to continue the system of giving allowances. This is one reason. And my second reason is this that I find from the reply given by the Home Member that there is some sort of responsibility still prevailing in the police training school. He says that in the case of head constables and naiks they get Rs.35 a month. I would therefore like to know from him what is their monthly pay of naiks and head constables separately, when they are in active service? If he gets less than Rs.35 then I would say that there might not be justification for paying him more in the shape of allowance while he was carrying on his duties.

Then the third point of mine is that the Hon'ble the Home Member says that those boys who depend upon persons serving in the Police Department get allowances. I say that this looks very odd, not odd in the sense that it is a sort of favour but also from the public point of view I say that that is no ground to show such favour to those boys. If they are poor, the same reason applies as I said earlier. They must look to other kinds of service, where there is no such responsibility. But in a matter like this in my opinion no allowance should be given merely on the ground that a candidate is dependent on one who is serving the Police Department. He further says that during the period of practical training all of them get Rs.35 a month as allowance. I say that during the period of practical training if they get Rs.35 allowance, this sum is much more by way of allowance. They should not be expected to get more than Rs.20 which can meet their bare necessary expenditure of the month. From this point of view and having regard to the financial condition of the province and the attitude of this department that they are prepared to give away more than a lakh of rupees as reward, I think, this is an additional thing and a much more luxurious thing than the circumstances of the province admit.

Shaikh Muhammad Habib-ullah : The issue before the House is not one of cutting down the allowance but one of restoration of the allowance. The mover has urged that since the cut in the salaries has been restored therefore the allowance of these cadets should also be restored. As a matter of sympathy I may agree with the mover, but on principle I am afraid I cannot. These cadets who have been admitted to the Police Training School have been admitted with the

[Shaikh Muhammad Habib-ullah]

hope that after a year or so or after 18 months' training they will be in a position to get jobs. That is the hope with which they have entered the department. Supposing a cadet could not go to the Police Training School, but on the contrary he goes in for higher education, what will be his cost if he goes to a university? I think much more at the present moment than at the Police Training School. I think poverty is not the test to decide the pay of a candidate who goes to the Police Training School. In fact, as remarked by the previous speaker, the selection for the admission of these cadets should rather exclude the element of poverty. If a person accepts Police service in the hope that his poverty will be removed, I think it is rather a dangerous thing. He should be a man of moderate means to take up the service of which the duties, as discussed before this House, are onerous and at times open to temptations.

Now, Sir, it is said that the naiks and head constables, when they are under training, get an allowance. I think that they are perfectly entitled to it. They get it because they have to live with a class of men with whom they cannot live on the pay that they are getting. Well, Sir, as I said before, I am in sympathy with the motion of my honourable friend, but looking at the matter as a financial proposition, I regret that I cannot at this juncture recommend any extra expenditure which could be avoided. It is an expenditure which having regard to the depleted condition of our finances could be avoided, and I think that we should save every penny that we can.

Mr. Muhammad Rahmat Khan :

مسٹر محمد رحمت خان —

جناب صدر میں حان بہادر سید جعفر حسین کی کٹ موشن کی نائید کرتے ہوئے اتنا عرض کروں گا کہ جبکہ اس وقت میں کٹ سب جگہ restore کرتی تھی تو کوئی وجہ نہیں ہے ان cadets کے allowance کو restore نہ کر دیا جاوے۔

اس کے علاوہ مجھے پولیس ٹریننگ کے بارے میں یہ عرض کرنا ہے کہ پیشتر یعنی ۳-۴ سال سے قبل یہ طریقہ اس صوبہ میں رائج تھا کہ Police Training School کے لیئے امیدواروں کی درخواست مانگی جاتی تھی اور وہ امیدواران اپنی درخواستیں کلکٹر صاحبان و سپرنٹنڈنٹ صاحبان کے پاس بھیج دیا کرتے تھے اور پھر سپرنٹنڈنٹ اور کلکٹر صاحبان ان کو select کر کے کمشنری میں بھیج دیتے تھے کمشنری کے اندر ایک بورڈ بیٹھا تھا جس میں کمشنر صاحب ڈی آئی جی صاحب پولیس کلکٹر صاحب اور سپرنٹنڈنٹ صاحب ہوتے تھے یہ بورڈ اسی دن اسی وقت نتیجہ announce کر دیتے تھے کہ فلاں فلاں لڑکے لیئے گئے اور فلاں فلاں لڑکے نہیں لیئے گئے لیکن اب دو تین سال سے ایسا ہو رہا ہے کہ یہ کمیٹی جولائی یا اگست یا ستمبر میں بیٹھتی ہے اور وہ لڑکوں سے کہہ دیتی ہے کہ تمہارا نتیجہ بعد میں شائع کیا جاوے گا تم ابھی انتظار کرو چنانچہ دسمبر تک لڑے انتظار کہتے ہیں اور دسمبر میں ان کے پاس حکم آتا ہے کہ ہم نے فلاں لڑکے کو لیا اور فلاں کو نہیں لیا اس کا نتیجہ یہ ہوتا ہے کہ جو

لے کے نہیں لیئے گئے وہ بیچارے اس درمیان میں اگر کوئی job ملنے والا ہوتا ہے تو اس سے بھی محروم ہو جاتے ہیں کہ وہ نہیں جانتے کہ ہم نے جاؤینگے یا نہیں لیئے جاؤینگے اور ایسی حالت میں کسی دوسری جگہ کے لیئے بھی کوشش نہیں کرسکتے۔ اگر اُن کا نتیجہ اُسی وقت معلوم ہو جایا کرے تو جو نہیں لیئے جانے والے ہوتے ہیں وہ دوسری جگہ کوشش کر لیا کریں اور دوسری جگہ ملازم ہوسکیں لیکن اُن کا نتیجہ معلوم نہ ہوئے ہیں وجہ سے اُن کو دوسرا job مل نہیں سکتا ہے *۔

دوسری بات اس کے اندر میں یہ عرض کرینگے کہ جو تعلیمی قریبن میں ہوتی ہے اُس کے اندر تمام officials وقتے میں حالانکہ اُس کے متعلق چند نو آفیسرل میمبران نے اس سائوس میں گفتی بات عرض کیا کہ اس نے افسر non-official میمبران بھی دئے جایا جس لیکن آج تک اس نے نوڈ ہوئی توجہ یا عملدرآمد نہیں کیا جاتا لہذا سیرری درخواست ہے کہ ان چند باتوں پر - جناب - آفیسرل قریب میمبر صاحب خاص طور پر توجہ فرمادیں *۔

Khan Bahadur Saiyid Jafer Hosain : I am thankful to the honourable members who have supported this motion. Of the four speakers that followed me three have supported my motion generally and one has opposed it. My friend, the Rai Bahadur from Ghazipur, opposed it on the ground that owing to financial stringency this allowance should not be restored. The Government is already giving allowances to the dependants of police officers and to others who have been taken in the Police Training School from the class of niks and head constables. This invidious distinction, therefore, as the Rai Bahadur himself has pointed out, is very unfortunate. So the logical conclusion is that if we continue a certain allowance to certain cadet it is very unfair to exclude certain other classes from the benefit of that allowance. I know that the Government is in need of money, and the financial situation is such that we have to look to every penny in the budget that we can possibly save. But the Government would be the last person to turn round and say that we must save every penny, for they have themselves restored the cut in the salaries of all government servants. But I consider that the objection taken by the Rai Bahadur is not right. He says that since graduates are willing to be taken in as cadets without getting any allowance, there is no reason why the cadets should be given any allowance at the Police Training School. I do not know if he has made a referendum among the graduates on the point, or how he has been able to ascertain their views. I know that they are hard-pressed for jobs, but it is also a patent fact that most of them find it very difficult even to maintain themselves for a month. How, then, are they going to maintain themselves for a year? They have to deposit a sum of Rs.440 beforehand, and I doubt very much if a good many of the candidates belonging to good but poor middle-class families, would be able to make that deposit all at once. I hope that the Hon'ble the Home Member will reconsider this point. As I have said before,

[Khan Bahadur Saiyid Jafer Hosain]

the matter is not of such a great importance that a negative reply should be given. After all the Government is giving allowances to a good many of them. The giving of allowances to the rest will not involve very large expenditure. If the Hon'ble the Home Member gives a promise that he will reconsider the matter, I will withdraw the motion.

The Hon'ble the Home Member : Sir, I think that some of the previous speakers were under a misapprehension. For instance, my friend, Khan Bahadur Maulvi Fasih-ud-din, thought that on the expiry of the period of training the cadets were out of jobs and were unable to secure posts. That is not the case. This allowance of Rs.35 is given to all of them after the period of twelve months' training is over and until they get an appointment which they generally do after the full course is over. He was also under the impression that the standard of cadets had deteriorated. Let me assure him that the evidence that I have is contrary to this impression. Not many years ago the Inspector General reported that after inspecting the cadets at the school he was surprised at their appearance. He said that they were physically above the standard of those admitted during the previous two years and that the Principal and staff were fully satisfied with their physical and mental attainments. The restoration of these allowances will not, as supposed by my honourable friend the mover, entail only small additional expenditure. It has been calculated, though the figures are only approximate, that if these allowances were restored the cost to Government would be something like Rs.15,000 or Rs.16,000 per annum. I would also urge that this retrenchment was made by Government, a few years ago, at the suggestion of a Retrenchment Committee composed almost entirely of non-official members.

Mr. Jagadeva Roy, while differing from the mover, has stated that in his opinion head constables and naiks should not get an allowance of Rs.35. Possibly he is under the impression that they get this allowance in addition to their pay. That is not the case. So far as cadets who are head constables or constables are concerned, they get what for them may be termed a total monthly remuneration of Rs.35. and, as my friend, Shaikh Muhammad Habib-ullah rightly pointed out, they have during their time in the Police Training School to live as cadets. A higher standard of living is therefore naturally expected of them.

Then, as one or two honourable members have pointed out, if we can get men of the right calibre, why should Government pay an extra sum of Rs.16,000? The Inspector General tells me that we are now getting graduates as cadets. That means that we are securing a type of cadet who has already spent a great deal of money on his education. He often comes of parents who can, at any rate, afford to send him for education to an Intermediate College, and subsequently to a College or University, where he can get his B.A. degree.

Mr. Rahmat Khan raised two points. In the first place, he said that many of the candidates who had been rejected did not know of their rejection till many months after the Committees had turned them down. These Selection Committees, as a matter of course, sit in October and generally towards the end of that month. The Training School opens in January. Candidates are always informed at any rate before the end of December whether or no they have failed, so that after they have been before the Selection Committees they have at the most to wait for two months. I am ready, however, to ask the Chairman of Selection Committees to inform the candidates, as in most cases they should be able to do so, immediately or very shortly after a committee has sat whether or not a particular candidate has been rejected. The second point was more important. He suggested that these Selection Committees should contain non-official members. It would have been desirable if I had received the views of other members of this Council on this proposal. There is one difficulty that I foresee, although I do not think that it is insuperable. It is not a question of one committee for the whole province. We have, however, nine or ten divisional committees. Each of them would have to include one or two non-officials. As I have just said, if I find that there is in this House a consensus of opinion in favour of Mr. Rahmat Khan's proposal, I shall be willing to consider it. I hope that in view of our financial position the original motion will not be pressed till the finances of this province become more satisfactory. I trust that the honourable mover, who may be in the future Legislature, will postpone his motion.

Khan Bahadur Saiyid Jafer Hosain : I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh : I beg to move that under sub-head D—Police Training School—Total, a reduction of Re.1 be made.

Sir, the object of my motion is that those sub-inspector cadets who have not succeeded in the examination of 1935 should be given one chance more of joining this Police Training School. Sir, as a general rule the cadets who do not pass are not given any more chance except with the sanction of the Inspector General of Police. Sir, I think that this rule was quite all right till now as all the cadets who joined the school were successful and it was only rarely that there were one or two failures. But in 1935 a new system of training was introduced and the method of examination was also changed and as a result of these changes there has been a failure of 20 per cent. in the Training School. This was the first year when the new system was introduced and this large failure is due to it. I therefore request that those candidates who have failed should be given one more chance. All the candidates were under the impression that once they joined the School they would get through their examination, but

[Thakur Muneshwar Bakksh Singh]
they could not succeed this time owing to the changes in the training and the method of examination. So as a special favour I would request the Hon'ble the Home Member and the Inspector General of Police to agree to my proposal. Besides the changes in the training and the method of examination there were periodical examinations held in practical training, and some of the candidates, who joined very late as they were given information to join only in the month of January, could not succeed in the earlier periodical examinations. It was not their fault that they could not succeed because they were informed very late and so they could not join earlier. I think that special favour should be shown to these candidates.

Khan Bahadur Maulvi Fasih-ud-din : Sir, the proposal which has emanated from my friend Thakur Muneshwar Bakhsh Singh is very reasonable. I find that these cadets after having wasted as much as Rs.440 are debarred from re-appearing at the examination for the next year if they fail in one or two subjects. This, I think, is a very novel procedure which ought to be done away with as soon as possible. Even the universities allow their students, who fail only in one subject by a few marks, to appear at the compartmental examination in that subject only. There is therefore no reason why those cadets, who failed in one or two subjects just by a few marks, should not be allowed to appear again next year for the examination. Of course I do not propose that they should be given this concession that they should appear only in one or two subjects in which they have failed. What I want is that they ought to be given permission to re-appear next year in all the subjects and pass the examination in all the subjects over again.

Khan Bahadur Saiyid Jafer Hosain : I consider, Sir, that the cut motion under discussion is a reasonable one. As has been pointed out by the previous speaker, in almost all the examinations compartmental system prevails. As a matter of fact even in some of the departmental examinations failed candidates are allowed to re-appear in a subject in which they have failed on one occasion. I think the same latitude should be allowed to the cadets of the Police Training School. The main consideration that was present in the mind of the Government when the rule was made was that they will have to pay again to the cadets Rs.35 per mensem for the next twelve months, but that consideration no longer exists. The cadets will have to pay for their own upkeep and living in the Police Training School and therefore the Government will not be saddled with extra financial burden in that respect. I think it is but just and fair to allow them a second opportunity to appear in the next examination either in the subject in which they have failed or in all the subjects. I hope the Hon'ble the Home Member will consider this question in a favourable light.

Mr. R. A. Horton : Sir, it is a fact, as the honourable Thakur Sahib has said, that at the last session at the Training School there was a larger number of failures or rejections than there has been for a very considerable time. The actual figures which I have before

me are that in the session of 1931 there were no failures, in 1932 there were two failures, in 1933-34, 9 failures and in 1935, which is the last session, 11 failures. One of the principal reasons for this increase during the last session is that, as a result of the Police Training School Committee's recommendations, the former system of allotting grace marks at the final examination was abolished and, in place thereof, the standard of marking was reduced from 60 to 55 per cent., that is to say that the pass marks required are 55 per cent. in all subjects. As regards allowing rejected cadets to be re-admitted, there is already a provision in the rules. This provision is to the effect that a cadet may be re-admitted who has been unable to take the full course of training or to appear at the final examination or any part of it. In such cases, for example, when a candidate may have arrived late at the School or fallen ill at the time of the final examination, the Principal and the Examination Committee recommend to the Inspector General that this cadet be taken back again during the ensuing training course and the Inspector General invariably, I think, accepts that recommendation. But as a result of the last examination no such recommendations were made by the Committee to the Inspector General. On the other hand, I can assure the House that if there is any such case which the Committee for any reason have overlooked and if any honourable member will be good enough to bring it to my notice I will give the case every consideration. As regards the general principle of permitting the men who have failed in the final examination to rejoin and try again, in the first place it may be argued that if you are going to do that, why have the examination at all, why not pass them all out at the end of the year, because they have a monthly test examination? Another point which has been forgotten is this, that the accommodation in the Training School is limited. If you permit all the failures of one year to stay back for another year—and I presume they will be permitted to stay on another year if they fail a second time—you will not be able to take sufficient new candidates of proper age (which is an important consideration) each year, and I rather think that the resulting complaint would be much stronger than the dissatisfaction which I understand exists to some extent under the present system of rejecting failures. Another point is that if we can get good men by the system of qualifying examination at the end of the session, why should we be bound to accept failures? It is our bounden duty to get the best men for the service of Government and the public in the post of sub-inspector. However, apart from the general question, as I have said I will be pleased to reconsider any particular case that is brought to my notice.

Rai Bahadur Babu Jagadeva Roy : The reply given by the Inspector General is very sympathetic and at the same time reasonable, but I have got one more point to add to his reply. I find that the mover of this cut specially discussed the results which were out in 1935. He pointed out that there was some sort of change in the whole system and I also find from the speech of the Inspector General of Police that there has been some sort of change, for instance, the

[Rai Bahadur Babu Jagadeva Roy]
withdrawal of grace marks. But it can be said on the other hand that the minimum pass marks have also been reduced. So in view of all these considerations, it appears to me reasonable that so far as accommodation is available, if there are failures I think they should be given a chance for another year. I do not mean to say that this should be the general principle for all time to come.

Thakur Muneshwar Bakhsh Singh : Sir, in view of the sympathetic reply given by the Inspector General of Police I beg leave to withdraw my motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I beg to move that under sub-head D—Police Training School—Total, a reduction of Re.1 be made.

Sir, I find that this institution of the Police Department has been somewhat over-patronized and over-fed. We see that this School is headed by a Principal getting as much as Rs.1,400 a month and I believe this year he has been given an extra allowance of Rs.100 a month because the total budget for the last year for the pay of this officer was Rs.1,700. It has now been increased to Rs.1,850. As there is no time-scale of pay shown in the budget the presumption is that this increase is simply due to the extra Rs.100 allowance. The other point I should like to submit is this that we find that the expenditure under various sub-heads of the School is much too large. We find that as much as Rs.19,000 are being budgeted for allowances and honoraria and Rs.19,000 again for contingencies, both contract and non-contract. Besides, we find that there are as many as three clerks getting pay of Rs.45 to Rs.120. All this expenditure, I am afraid is rather over-estimated which ought to be cut down considerably. The Principal should not, in my opinion, get more than Rs.1,000 a month. He need not necessarily be an Imperial Service officer and even an Imperial Service officer of such a high grade should not be employed there.

Sir, the other point that I want to raise in connexion with this School is this that some years back there was a practice to get two deputy collectors to work as teachers in this School, one for teaching the criminal laws and the other for teaching other subjects. Now that system has been abolished and these deputy collectors have been replaced by a court inspector and a circle inspector with the inevitable result that the products of this School are of much inferior calibre than the products of those days and their knowledge of law and procedure and of the work is much more deficient naturally enough than the knowledge of their predecessors. I am sure that the present system will not be productive of any good results in the matter of the ability of the cadets. This system ought to be abolished and replaced by the system which used to prevail in former days. The court inspector or circle inspector cannot be expected to be in a position to teach as well as the deputy collectors of great experience were expected to do.

Another point, which I think is the most important point of all that I have raised hitherto, is this that there is no adequate arrangement for teaching detective work to these cadets. I have said again and again on the floor of this House that the detective abilities of the sub-inspectors and the special investigating staff remain as poor as ever and the absence of detective abilities amongst them has been aggravated by the fact that police officers have been very strictly forbidden to use their brains for the purpose of detecting crime. The net result of this absence of arrangements for training them in the detective work is simply this that my experience is that very few cases are traced out simply by detection. A large number of cases is discovered on account of the fact that somebody gives information about the property which happens to be at a particular place and also because one of the thieves or burglars happens to make a confession to the police officer and gives him news about his companions. There are many other ways in which the cases are detected, challenged and convicted. I think if this matter was to be looked into very carefully and closely, the Inspector General of Police as well as the Hon'ble the Home Member will come to the inevitable conclusion that there will be very few cases which can be ascribed to the detective abilities of the investigating staff. I have had 30 years' experience as a magistrate and during my non-official career also I have been watching the manner in which these police cases are detected, and I am definitely of the opinion that the detective abilities of the investigation staff leave much to be desired, and it is a most important question that ought to be looked into. Unless the Hon'ble the Home Member and his worthy colleague the Inspector General make very full and sufficient arrangements for training in detective work, I think the police will continue to be in the position in which it happens to be now.

Shaikh Muhammad Habib-ullah : Sir, the Police is a quasi-military department. The duties of the police are not absolutely confined to what is generally thought—mere detection and investigation. A police probationer is taught in the very beginning the life of a soldier, that is drill, musketry, riding, etc. This part of the cadet's training can be better supervised by those officers who have had the opportunity of receiving training with the military, and I think many of such officers will be found among the Imperial Police—whether European or Indian. My friend the mover has raised the very, very important question of training in detective work. Sir, this preliminary training, as I may call it, is only a year's training. It is a period when the judgment of the youth is not ripe for training in the art of detection, and every police officer cannot be a good detective officer. Of course, it is the duty of the Police Department to find out capable men fit for detective work. Every police officer is not fitted for detective work. That can only be known when a policeman has been in service for some time, and then and then alone can an officer lay his finger on a youth and find out if he is suitable for detective work. At that stage it is the duty of the Police Department to give that young man special training in detective work. I wonder if there

[Shaikh Muhammad Habib-ullah]

is any department of police here similar to Scotland Yard in England where the youths of provincial police can be trained in detective work. I know there is a big Criminal Investigation Department and our present Inspector General was one of the distinguished heads of that department. But I wonder if they have got a regular system by which they train their young police officers to be good detectives. I remember that the previous Home Member admitted on the floor of the House that the police of these provinces were not well up in the art of detection. I have known cases in which our police have done excellent detective work. I know of men in the United Provinces who have made their mark in detective work in all India. On this occasion I may be permitted to instance the name of a person from our province who rose to the position of Assistant Director General of the Intelligence Bureau, Government of India, but who died recently. I think he was an example of the best detective officers that could be found in India. So Indians can be as good in the work of detection as any policeman anywhere in the world; but I am not yet in a position to know whether the Police Department have made any special arrangements for the training of people in C. I. D. work—I mean such people whom they may select as capable of carrying on C. I. D. work. I should like to be informed on the subject by Government.

Mr. R. A. Horton : Sir, I will deal first of all with the point raised by Khan Bahadur Fasih-ud-din Sahib in connexion with the apparent increase of pay to the Principal of the Police Training School. He referred, I think, to an increase of Rs.100 a month, taking for that purpose the figures quoted on page 170 of Volume IV of the Budget. This increase has nothing to do really with any increased allowance to the Principal of the Police Training School. It is accounted for entirely by the fact that that officer will receive his increment of pay and will also officiate in the selection grade of superintendents of police. The honourable member also said that he thought the Principal of this school should not be paid more than Rs.1,000 per mensem. I hope he will forgive me if I dispute that statement. In my judgment the officer we require for this school, for the very purpose for which the Khan Bahadur himself referred later, should be the best man we can possibly get. The present Principal, Mr. Inglis, is definitely one of our best officers. Actually, of course, there is no increase in the police budget by employing him in the Police Training School instead of in a district, or putting a cheaper officer in the School and keeping Mr. Inglis in the district.

The second matter with which the Khan Bahadur dealt was the necessity for improving the standard of investigation and for inculcating detective ability among constables and others of the force. His idea was that this should be done at the Police Training School. This idea is, I think, a very good one and I am very grateful to the Khan Bahadur for mentioning it. It appears also to be the opinion of other provinces, e.g. the Punjab which has recently opened a special training college for constables at Sialkot, and the Central Provinces who have

opened a similar college at Saugor. But the cost of these colleges is very considerable and if we were to attempt to do anything of that kind in this province naturally the amount which we should have to ask for under this head would be very greatly increased. I, however, should not be averse to that, because I think this matter does need considerable attention. But I cannot understand this request when we consider it with regard to the statement with which the Khan Bahadur commenced, viz. that this Training School was over-patronized and over-fed. I think that there is a contradiction there.

As regards the training given to the officers at the School, I do not remember the time to which the honourable member referred when deputy collectors were employed there. Court inspectors are certainly employed there now, and in that respect again I can only point out that they are a cheaper agency than deputy collectors would be. The Assistant Principal, however, is a Deputy Superintendent.

Now, the honourable member who spoke in support of our present school referred to Scotland Yard. As perhaps the House is aware, within recent times Scotland Yard has established a special college for training officers in detective work. But perhaps they are not aware that the heads of that college—the Principal and the Vice-Principal—are ex-officers of the Indian Police. So that even Scotland Yard knows where to get the best men when it comes to training staff. I wish very much that we could do something of the kind; and I am very pleased to inform the Khan Bahadur Sahib that in connexion with the proposals which I am submitting to Government regarding the Criminal Investigation Department I am proposing the re-organization of the Investigation Branch of the Department and the General Branch so that we may be able to provide, within the Criminal Investigation Department, a special class for training sub-inspectors in detective work. At the same time, as was shown to be desirable by the Committee of 1934 which dealt with the Police Training School, we shall endeavour to open such classes for lower ranks at the Police Training School as was suggested by the honourable member himself. I hope that this explanation will show how far we are endeavouring to meet this desire and that we ourselves are whole-heartedly in favour of doing so.

The motion was, by leave, withdrawn.

Shaikh Muhammad Habib-ullah : Sir, I beg to move that under sub-head E—Village Police—1. Pay of establishment, a reduction of Re 1 be made.

Sir, this token cut is against the exclusion of a provision for an increase of 1,000 chaukidars as a measure of economy and for the decrease of Rs.32,000 in the budget. Sir, to start with, I must say that it is worse than false economy. A chaukidar is not the creation of the present form of government or of the British Government at all. He has existed since a very long time, perhaps since time immemorial. He has always been a village policeman like the patwari who has been a village accountant for a long time. His duties are considerable. In fact, they are not at all defined and can be compared to the general law in England which covers many things. He

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is not only there to serve the Police ; is not only there to serve the Revenue Department ; but his services are required by every one and we get those services from him. Even when a medical officer of health or a vaccinator goes to a village, it is the chaukidar who has got to give him every help. To the police he is like a camel to an Arab. The police at least cannot do without a chaukidar as an Arab cannot do without a camel. Having such a useful person as a chaukidar, one has got to think as to what one has to spend in securing the services of a man of that type. I think the amount required for keeping a chaukidar is the smallest conceivable—Rs.3 per month. There is no parallel and there can be no parallel of this kind in the whole world to get a man and such a useful man as a chaukidar on such a small expenditure. It was really decided last year in this House that the reduction of the chaukidars was a mistake and that the number of these chaukidars should be increased annually to bring it up to its normal strength. I find this year that that amount has been excluded from the budget and I think the Hon'ble the Home Member will stand and say "For want of money." Sir, where there is a will, there is a way. The Finance Department, I have seen, have been allotting money for other departments, e.g. the Education Department for the uplift or rather to assist the missionaries for the education of the backward Christians whose origin was from among the depressed classes. Well, let me compare that expenditure to the expenditure on the chaukidar. A chaukidar is a person who has lived throughout in a village from generation to generation. His genesis is this that when the British Government came they found that a landlord had to keep a chaukidar and to pay for him and, if I remember aright, he was not paid in cash but by means of a *jagir*. When the Government took up the chaukidars, they imposed a chaukidari cess and said "No more jagirs" and we the landlords had to pay that chaukidari cess. After a period that cess was abolished as it was urged that it was the primary duty of the Government to look after the watch and ward in the village and that the expenses should be borne by the provincial exchequer. It was in this way that the provincial exchequer began to bear the expenditure of the chaukidar. Now, Sir, that chaukidar who from time immemorial has been a village policeman has come under the axe and we are creating and subsidising a new set of men in his place. The Finance Department have agreed to allot money for objects of this kind to the Education Department. Why? Because the Education Minister had a sop to throw to the Finance Department by suggesting some source of increased income in the Excise Department, and therefore the Finance Department agreed to give the Education Department some money to spend on something which may not be as good as the maintenance of chaukidars. I wish the Hon'ble the Home Member could also throw some sort of sop to the Finance Department by saying that there is some sort of a source under his control which, if tapped by the Government, will bring them a few lakhs and then the Finance Department would have in return agreed to the retention of this item of thirty-two thousand, the smallest item which

they have expended most deliberately for the appointment of these chaukidars. To me it appears an irony of fate, if I may not call it a sin, that such a procedure, which threw these people out of employment, should be now being employed in the villages from these returned men. It is not only a village establishment, but he also keeps a register of births and deaths. For every report that comes from a village the chaukidar is responsible, and in my opinion this important institution of chaukidars should not be done away with.

Thakur Muneshwar Bakhsh Singh : I read a motion in my name, but I shall not speak on the motion under discussion, as my object is the same. I submit that the institution of chaukidars is very important and useful in the rural areas. I think that any reduction in the number of chaukidars, as has been suggested in the budget, would be detrimental to the public interests. We have been urging on the floor of the House that the number of chaukidars should be increased. Indeed we have expressed the view that there must be at least one chaukidar in every village. This official of the Government keeps a record of births and deaths which is a very important document. He does very important work and gives help to every Government official that comes to the village. These are the important duties that are imposed on the village chaukidar. He has also to give information of the commission of any crime in his circle. I think that a chaukidar who is entrusted with the work of two or three villages cannot satisfactorily discharge his duties, and it is but necessary that we should increase their numbers. It often happens that reports of crimes do not reach the police station on account of the absence of a chaukidar from the village. So in my opinion the number of chaukidars should be increased. With these few words I support the motion.

Thakur Giriraj Singh : I also wish to make a few observations about the post of chaukidar. I am not of opinion that in every village there must be one chaukidar. If a village is a very big one, then certainly one chaukidar is required. The majority of chaukidars are afraid of the sub-inspectors so much so that they spend their time at thanas in doing private services to them. So my submission is that men of a better class should be recruited for the post of village chaukidars.

Another point that I wish to bring to the notice of the Government is this. If we look at the Police Administration Report for 1934 we find that a large number of chaukidars were punished for various offences. It is clear from this that actions of some are objectionable. It will not be out of place to mention "that 50 or 60 village chaukidars were convicted in criminal cases, 278 were dismissed and 500 were placed under suspension." It appears from this that some chaukidars whose actions were bad were punished by the authority.

The third point, which I want to submit, is that, if possible, chaukidars should at least know so much of either form of vernacular as to read and write. Recently the district board members have been given power to inspect their diaries in which the entries of births and deaths are made. In this connexion I have got a complaint to make

[Thakur Giriraj Singh]

that some chaukidars refuse to give their diaries to the district board members for inspection. Perhaps it is due to the fact that the superior officers have not informed them that district board members have also got power to inspect their diaries. So I submit that the Government may kindly issue orders to the district authorities that chaukidars should hand over their diaries to the members of the district board who want to inspect them. These chaukidars should keep their diaries up-to-date, because a large number of civil cases depend upon these diaries, viz., when a certain person dies or when a certain person is born, the book of the chaukidar is important.

These are the only points which I had to raise.

Munshi Amir Hasan Khan : Sir, the importance of this post has not been fully realized. I know from my own experience—which extends over a period of 31 years as a criminal lawyer and over a period of 14 years as a Government Pleader—that this post is very important so far as criminal cases are concerned. I want to impress this fact upon each and every one who has not the first-hand information or who has not been in touch with this lower rank officer. He has a lot of duties to perform, which not a single other officer has to discharge. I will illustrate the point. Suppose an offence is committed, this man goes to gather information and then rushes up to the thana. Now look at the importance of the information which he carries. If he is misled, misguided, misinformed, or if he has not got sufficient intelligence to grasp the matter and to sift out real facts, then the information conveyed to the thana is also not correct. Any amount of intelligence of the sub-inspector or of the Superintendent of Police, or even of the Deputy Inspector General cannot correct that information which has been supplied incorrectly, say, in a murder case or in a dacoity case, or in some other important cases which go up to the Sessions Court. If the sub-inspector tries and finds out that the information has been incorrect, or that some wrong information has been deliberately supplied, and which has been put down in black and white, he cannot successfully make any amendments in it. When the case goes before the Judge, and the sub-inspector wants to prove the truth, to which he had arrived during investigation and attempts to prove that the report previously made was incorrect and that some other person, not mentioned in the report, was responsible for the offence, then, although the Deputy Sahib may have committed the case to the Sessions Court, the Judge says “I do not believe the story as it is in conflict with the first information”. The case results in acquittal. Now, look at the waste of time and money, and also at the sacrifice of justice. The real culprit has not been brought home; and the wrong or right person named has been unjustifiably allowed to go or punished. I would just quote a very important case after which I resigned my Government Pleadership. In the district of Fatehpur, there were three brothers—tall like me, about 6 feet long, good looking, Thakurs by caste, aged about 24, 25 or 26 years. They were all implicated in a murder case. I conducted the case, and laid great stress on the dying

declaration. The Judge held the case proved. The learned Judge was also convinced and gave death sentences to the culprits. The Judge was Mr. Baijnath Dass : who later on became a Judge of Bikaner State High Court. The conviction was upheld by the honourable High Court. The appeal for mercy was dismissed by His Excellency the Governor. Second appeal was then preferred to the Viceroy for mercy. A day before the date fixed for execution, all the wives of these convicts with their children arrived and assembled in the Sessions compound. Seeing females and children weeping bitterly I questioned them and was told the real facts. There were other persons also who had come forward to confirm their statements. I told them that I was convinced of the statement of the dying man, and the Court was also convinced. After sifting inquiry all around it transpired that the convicts were innocent. I reported the matter to the Judge, who directed me to go to the Committing Magistrate Mr. Tassaduq Ali Beg. who told me that he had also come to know, after commitment that the accused were innocent. The Judge Sahib and I went to Mr. Macleod, the District Magistrate, who had also worked as Deputy Secretary here. We requested him to send a telegram to the Viceroy to postpone the execution to enable us to get justice done. But Mr. Macleod could not gather courage but said that as the matter was pending before the Viceroy, he could do nothing. Next morning these unfortunate four persons were hanged. I came across another similar incident and after some time I resigned Government Pleadership. The scene of these cases worked upon me like a nightmare for a long time.

Now, Sir, chaukidar has got too many duties to perform. The deaths and births daily occur and he has to report. That is a question of purely civil nature. I have also been working for the same period in the civil side. Look at the civil aspect. A death occurs on a certain date. He goes to thana after seven days and makes a report. A suit is filed about inheritance. Now the difficulty arises about limitation because he had failed to make a report on the date on which the death had actually occurred. He brings out his registration and says that he had died on such and such date while he actually died seven days before. Now evidence is produced by parties. Birth and death registers entries carry the day inspite of the fact that death had occurred 7 days before and a time-barred suit is held within time. The court is put to great worry, justice suffers and false statements are encouraged. Now, look at the other duties he has got to discharge. The Viceroy passes by a railway train. The poor fellow in the months of December and January sits on the road at night watching. He gathers fuel and cowdung and lights them in order to warm himself for the whole night. The Governor passes by that way and the poor man getting only Rs.3 has to watch day and night and nobody cares whether he has taken water or meal even. Now, look at it. When periodical melas occur, he has to watch the road because the road chaukidars have been dispensed with. A sub-inspector arrives in the village to investigate a case and remains in the village for days and days

[Munshi Amir Hasan Khan]

together and sometimes for weeks and weeks. He follows him like a shadow, and this he has to do with the circle inspector. All these multifarious duties he has to perform. Look at the man. All court work depends almost entirely upon his information, both the criminal work as well as the civil work. He has to assist kanungos, lambardars and mukhias and still you pay him Rs.3 a month and instead of abolishing big salaried posts you have dispensed with the services of many low paid chaukidars. Another duty has been imposed on him lately. Most probably the Hon'ble Member in charge of Police will agree that he has to do this duty because road chaukidars no longer exist. Armed guards are deputed from every thana at about 9 or 10 in the night to make round of villages lying within 7 miles to scare burglars and dacoits. The chaukidar has to go round with the guards from one village to another. If they are found absent, they are reported against the next morning.

Then if a chaukidar is a Chamar or Pasi, he can be tipped. The culprit says "*Mera nam mat lena, yeh lo do rupia,*" and the chaukidar makes reports, names others and omits his name. For this there is no remedy in the court of law. Rupees 2 were paid to the chaukidar and the murderer or the culprit went scot free. This is a very important point, which should be considered by the officers in charge of the Police Department. Since the Great War minds of the people have changed. They and also the Government talk a great deal about village uplift both with a different view. Village uplift will not be successful unless Government improves the condition of the village guards called chaukidars. Now there should be intelligent persons on that post. Government shall have to increase their pay and appoint literate or half literate persons—in any case intelligent men—on this post, capable to gather facts, and convey them to their officers, so that the officers may get a correct view of the situation. If a man has substantial means or is given good pay or is a well read man or is a man of good birth from him you can expect honest dealings. These are the four things that make a man reliable to a greater extent. If the Government wants to make this uplift movement successful and check rowdyism and hooliganism they will have to consider the suggestions I have put forward.

Look at another point. These chaukidars in the village uplift shall have to do lot of work. We have got no other Government servant on the spot in the village except the patwari. But patwari has got nothing to do with administration. He is always mischievous and experience has shown that the District Board teachers and village patwaris now do all the political work and remain in league with agitators. Therefore Government shall have to make changes in the position of the chaukidar in the light of suggestions I have made. I say, therefore, not to make any decrease in this head. On the other hand better men should be appointed as village guards to control miscreants and to help the uplift scheme.

The Hon'ble the Home Member : Sir, I am very grateful to my friend, Shukh Mahomed H. Wab-ul-I, for making this motion. It is very gratifying to me that Fardes Thakurs have been paid by several hon'able members to the services rendered by the village chaukidars. As has been mentioned by an hon'able member the chaukidar is an ancient institution. He has been doing his work for very many years and therefore has been doing his work from time to time. The question of the reduction of the number of chaukidars has been the subject of consideration by various committees. One committee, the Decentralization Committee of 1932, seemed to think that they should be entirely done away with or at any rate largely reduced. There has recently been a considerable increase in the number of chaukidars since 1919, when their number was 57,000 as compared with the present figure of about 49,000. While 57,000 was a very large number, as I do not think it necessary that there should be a chaukidar in all or almost all revenue villages, yet I consider that there is a good deal to be said in support of honourable members who have given their opinion that the number has been excessively reduced. A few years ago Government decided that there should be an increase in the number of chaukidars, which, I think, then numbered 39,000 only and hoped to enhance this number in three batches of 1,500 per annum. In 1934-35 an increase of 1,000 was made. We were hoping to make a further increase of a thousand in the current year, but unfortunately our finances were in such an unsatisfactory condition that we were unable to carry out our original proposal. This is the only reason why we have gone back on what we considered was desirable only a short time before. One or two honourable members were under the impression that a reduction had been made. There was a considerable reduction many years ago and at that time no doubt several chaukidars were thrown out of employment. But at the present time the situation is simply that we are not proposing to increase the number of chaukidars. Since there is to be no reduction it is incorrect to say that chaukidars will be thrown out of employment.

I was pleased to know the great importance which my friend whom we welcome in place of the late Khan Bahadur Hafiz Hidayat Husain of Cawnpore attaches to chaukidars. He rightly states that in many cases we depend for the ultimate issue of a criminal case on the first report to or the first information brought by a village chaukidar. I was somewhat perturbed by the pathetic and romantic story which he told of what he considered to be the unjustifiable execution of several Thakurs in the district of Fatehpur. One of the most anxious tasks entrusted to the Home Member is that he has from time to time to make recommendations on petitions by condemned criminals who have been sentenced to death by the High Court or Chief Court. I can tell him, however, that we have been able though inevitably in a very few cases to dispense mercy and save a prisoner from execution.

A reference has been made by one honourable member to the desirability of enlisting more literate chaukidars. Well, Sir, we

[The Hon'ble the Home Member]

should be only too glad to have a larger number of chaukidars who can read and write. This is desirable from every point of view. The difficulty has been and is that these persons are almost entirely recruited from the humbler castes and persons belonging to such castes generally do not attend school. I have no doubt, however, that as time progresses, we shall get an increasing number of literate chaukidars. There is no objection to the enlistment of the higher castes but I would deprecate preference being given to persons belonging to the higher castes over members of the depressed classes to whom so far very few avenues of Government employment are open.

I do not quite know what my friend Thakur Giriraj Singh referred to when he spoke of the diaries kept by village chaukidars. Perhaps he means the registers of births and deaths. I think that he suggested that they should be open to inspection by members of district boards. On the spur of the moment I cannot say whether there is any objection to what *prima facie* seems a harmless suggestion. At present I can only tell him that I shall be prepared to consider the point. As regards the future all that I can say is that Government are in full agreement with honourable members who have spoken in regard to two points, viz., (1) the value of the services—humble though they be—rendered both to the public and to Government by the village chaukidar and (2) the desirability of increasing the number of chaukidars when financial conditions permit.

Shaikh Muhammad Habib-ullah: Sir, I am glad that there is not a single discordant voice in the House regarding the motion which I moved and I thank the honourable members who have supported me in this idea.

I think there has been a great progress, or rather improvement over what I said when I find that the chaukidar is also wanted by members of the district boards and still more wanted by members of the legal profession. Sir, in view of the speech made by the Hon'ble the Home Member I think no useful purpose will be served by my pressing the motion to a division, and I would therefore, with your permission, Sir, withdraw it.

The motion was, by leave, withdrawn.

***Mr. C. Y. Chintamani:** Sir, I beg to move that under sub-head F—Railway Police, a reduction of Rs.10 be made.

Sir, my object is a simple one, and with that object I expect the Government will be in entire sympathy. I have long held the opinion that in the distribution of the cost of Railway Police between the Central Government and the Local Government, the Central Government have not treated the Local Government with fairness and justice. I have long held the view that although Railways is a central subject and therefore the Central Government should bear a larger part of the cost of Railway Police, they have taken advantage of the subordination of the Local Government and imposed upon them a larger share of the expenses than they ought to have done. I am aware, Sir, that the Local Government have more than once made strenuous efforts to

**Speech not revised by the honourable member.*

get the whole subject reconsidered and better justice done to them ; and yesterday the Hon'ble the Home Member told us of the reorganization of the Railway Police effected in the year 1932, as a result of which the Local Government have now to spend less than they had to do. So far so good ; but I think that the position still is unfair to the Local Government and they should make still more effort to get from the Central Government a larger share of the cost. I do not want anything more from the Government than an assurance that they will renew the effort—I do not say this very day—but at such time and in such manner as they may think will promise a good chance of success.

Secondly, Sir, regarding the details of the reorganization effected in 1932, I have received a memorandum from some friend in which he says that the reorganization has caused hardship to a certain class of officers in the Railway Police and that the points brought to light by him are deserving of re-consideration. I have no desire to take the time of the Council by reciting the details of that memorandum. I shall hand over a copy of it to the Hon'ble the Home Member for examination by him with the assistance of the Secretariat and the Inspector General and for such action as that examination may suggest to be desirable or necessary.

The Hon'ble the Home Member : Sir, my friend, the Leader of the Opposition, has made a very brief speech in which he has drawn my attention to two points. The first relates to the inadequate assistance which this Government has received from the Government of India in regard to certain railway expenditure. He is right in stating that on more than one occasion we have addressed the Government of India on what we considered to be a legitimate grievance. I think that it was only in 1933 that a resolution was moved in this Council urging this Government to approach the Government of India in order to obtain a contribution. This we did. There is no difference on this point between us and the honourable members opposite. We have not received the final orders of the Secretary of State and I cannot, therefore, tell the House to what extent our proposals have been or will be accepted. I am not very optimistic, however, that our suggestions will be fully accepted by the Secretary of State. I am indeed very doubtful if we shall get all that we want. I am convinced, however, that there is every chance of our getting in future some contribution from the Government of India. At any rate, I can give to the honourable member the assurance that we have not lost sight of the matter and that we shall, provided that there is further opportunity, again press the Government of India. I also readily give the assurance which he desires on the second point, and shall be glad to examine the memorandum which he tells me that after this debate he will hand over to me.

***Mr. C. Y. Chintamani :** Sir, I have had the reply which I had almost expected ; but there is one point in the Hon'ble the Home Member's speech on which I should like just a little more light to be thrown. He has spoken of the Secretary of State and not of the Government of India. Am I right in inferring from that that the local Government

[Mr. C. Y. Chintamani]

have secured the support of the Government of India and that therefore the local Government's proposals have gone to the Secretary of State. The local Government, it is well known, have no right of direct communication with the Secretary of State. It is equally well known that the Government of India do not always submit to the Secretary of State communications from local Governments unless they deem that there is at least a *prima facie* case made out by the Local Governments or unless they themselves are in agreement with the local Governments. If the Hon'ble the Home Member is in a position to state that the local Government have secured the support of the Government of India that will be still more reassuring. He is not very optimistic about the success of the latest effort of the local Government. I am not surprised. Local Governments are seldom treated with consideration by higher authorities. And to tell the truth, I am not without a little malicious satisfaction on this point. Our representations to the local Government, the representations of non-officials are so often treated with scant courtesy that I am not altogether sorry when the local Government themselves feel a sense of powerlessness when their representations are treated in a similar manner by higher authorities. But we non-officials proceed upon certain principles when our representations are turned down. We take to heart the teaching of the greatest of agitators—Richard Cobden—who said repetition is the essence of agitation, and as the Local Government in relation to the Government of India and the Secretary of State are in a position similar to that in which we are in relation to themselves, I hope that they will take this lesson of agitation and will go on agitating until they have received justice.

The motion was, by leave, withdrawn.

Rai Govind Chandra : I beg to move that under sub-head H—Works—Total, a reduction of Re.1 be made.

In moving this cut my aim is to bring to the notice of the Government and the House a particular grievance of my city, viz. the construction of an enclosure in front of a police thana.

Benares, as you are well aware, is a very ancient city, thickly populated and full of lanes. There are very few roads, properly speaking in the city of Benares. The most important of them is the one running from Maidagin to Assighat and it is on this road that most of the traffic of Benares is concentrated. On this road in the heart of the city a police station known as Chowk thana is situated. Opposite to this Chowk thana there used to be an open space, a triangular piece of land, which was used by the public for parking their carriages and motor cars. On the 15th or 16th of June the Police erected an enclosure before the thana and enclosed that piece of land. This enclosure has, Sir, added to the inconvenience of the public at large, because the roads are narrow in that part of the city and it is not possible to keep the cars standing on the sides of the roads. This land was vacant for the last three decades or over. I inquired from the oldest residents of the place and was given to understand that as far as they remembered this land was never enclosed by the Government. I cannot say when this land was declared nazul land. On

the 27th June I came to know that this land was enclosed. A resolution was passed by the K. of S. S. Council and a copy of it was sent to the Hon'ble the Home Minister. This news appeared in the *Leader* and this was the first time that this thing had happened.

I then stated that the question which were as follows :

"Has the attention of the Government been drawn to the dissatisfaction of the Benares public in the action of the police in enclosing the open space in Chauk in front of the police station?"

The reply to this question was :

"There is no such dissatisfaction so far as Government are aware."

I then asked : "Are the Government aware that this was the only space available in the Chauk for the motor and rickshaw stand?"

The Hon'ble the Minister replied : "No. The Municipality has been asked to take up the question of providing parking places elsewhere. There is a space on the opposite side of the road which can be utilized for the purpose."

Another question was : "Do the Government propose to interfere in the construction of the enclosure by the police and calling upon the municipality to withdraw the permission and explain the circumstances under which it was given?"

The answer was : "No. The land belongs to the Police Department."

There were other questions : "Will the Government be pleased to state if the Municipal sanction under its bye-laws was obtained by the police for the construction of the fencing put up before the Chauk police station, Benares?"

(a) If the answer is in the affirmative, will the Government be pleased to state why the municipality permitted this construction?

(b) If the answer is in the negative, will the Government be pleased to state why the municipality did not pull it down?"

The Hon'ble the Minister for Local Self-Government said : "An enquiry has been made and a reply will be given at a later date."

That later date was the 26th of February, 1936, when the answer was given to this question by the Hon'ble the Minister for Local Self-Government. He said : "There was no question of asking for municipal sanction. Such sanction is not required in the case of Government buildings, under section 3 of Act IV of 1899. (a) and (b) : Do not arise."

So I want to point out that this inconvenience to the public of Benares was not removed by the Government during the course of eight months and this matter has been allowed to hang on for such a long time. Our Hon'ble Home Member, who was our popular Commissioner there, very well knows the difficulties of the citizens of Benares and can easily realize how difficult it is to park motors on either side of the road in the city of Benares itself. That portion, Sir, is the busiest part of the city and doctors and businessmen who go

[Rai Govind Chandra]

there cannot be expected to remain there standing for their cars till they come from the houses of their clients. This was a place where they could have easily parked their cars. I could have understood if a portion of that piece of land had been enclosed by the police for their own purpose. But I cannot understand why the police enclosed the whole piece of land and left only the road for the traffic. With these remarks, Sir, I move this cut, and I hope the Hon'ble the Home Member, realizing the difficulties of the citizens of Benares, will issue instructions to the police to open that enclosure.

The Hon'ble the Home Member : Sir, in the hope that I shall be able to satisfy the honourable mover of the cut I shall content myself with a very brief reply. The matter was brought to my notice a few months ago. I had proposed to visit Benares in January this year in connexion with the banquet given to His Excellency by His Highness the Maharaja of Benares. Unfortunately owing to indisposition I was not able to go. If I had gone, I had intended not only to see a small deputation on the question raised by the honourable mover, but also to consult the district authorities and to see the site myself for I have only a somewhat hazy recollection of its appearance. As I was unable to go, I decided upon what I considered to be the next best plan of action. I asked for an enquiry by a local committee on a question which I know has created anxiety in certain circles in Benares. I have instructed the Committee to go into the matter carefully and to submit their recommendations to me. So far I have not received any report but when it comes, I am prepared to give full consideration to the opinion of my honourable friend and others who share his views.

Rai Bahadur Babu Jagadeva Roy : The reply given by the Hon'ble the Home Member is in one way sympathetic, but it appears that this important matter has already taken much time as would appear from the speech made by the mover of the cut. He brought out the necessity or importance of this question by asking a few questions. The replies which were given were undoubtedly very unsatisfactory. But now the Hon'ble the Home Member says that he has asked for a local enquiry. I do not know what sort of local inquiry that is. When the reply was given by the Hon'ble the Minister for Local Self-Government, some sort of information must have been gathered by him also so that was also a sort of local inquiry. So I submit that if the Hon'ble the Home Member wants a local enquiry of that type then the grievance may not be redressed. I may also assure this House that the grievance is a real one and that space, to my personal knowledge, has been in use of the public for more than 30 or 35 years. I still say that the enclosure which has been made by the police has not been put up with a view to meet some sort of necessity which was unavoidable, but it appears to me that instead of doing service to the public the police should not have enclosed that space. If that space is so enclosed, traffic of course must suffer, that is to say, that persons going to that part of the city cannot leave their conveyances there because there is not enough

space left in the opposite direction. Thus the question is an important one and the Home Member should take it up and treat it like that. It is an important question from a public point of view; it is not in the interest of only a few persons concerned, but it is in the interests of the public concerned and therefore I hope that the Hon'ble the Home Member will try to decide this point at an early date and favourably.

Rai Govind Chandra : After hearing the Hon'ble the Home Member I have been left in some doubt because I find that no enquiry was conducted before that enclosure was put up. It was an executive order and on that executive order that enclosure was put up. Now it would be no good logic to say that an enquiry should be made and then that enclosure should be removed. The enquiry ought to have been made in the first instance when that enclosure was going to be put up. It should not be made now and I hope the Hon'ble the Home Member will very kindly see his way to issue necessary orders so that the people of Benares may feel satisfied that something has been done for them.

The Hon'ble the Home Member : I hope that the honourable member does not expect or wish me to commit myself by answering his question in the affirmative. As I have already said the matter came to my notice only a few months ago. I took action upon it at once. I have asked the local committee to send their report and I again assure the honourable member and Mr. Jagadeva Roy, that I shall give to the matter my full consideration, as I am aware of the anxiety which exists in certain quarters.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under the entire head a reduction of Re.1 be made.

My object is to draw the attention of the Inspector General of Police and the Hon'ble the Home Member to one or two points, which to my mind are of such a nature as to require their attention and consideration. The first point is that some years ago the Hon'ble the Home Member had agreed to the principle of giving copies of reports of non-cognizable offences by the police to the person making the report. I have come across cases now and then in which the police do not give copies even of cases which are not cognizable by the police, and considerable difficulty has been experienced in filing complaints in courts for want of an exact copy of the original report. Then, Sir, the other point is about reports lodged in cases as regards offences which are cognizable by the police. Sometimes it so happens that the police after an inquiry thinks that no case has been made out, and they refuse to challan the accused persons mentioned in the report. I consider that copies of reports in cases which are cognizable by the police should also be supplied to the person reporting the matter. It will not involve the Government in any extra expenditure except that they will have to give a copy to the informant.

And then, Sir, the third point to which I would draw the attention of the Hon'ble the Home Member is the fact that it was

[Khan Bahadur Saiyid Jafer Hosain]

pointed out year before last that as a rule sub-inspectors should not be stationed at a police station for more than five years. In some cases this rule has not been observed, and there are still sub-inspectors in certain police stations who have been there for some thing like seven or eight years. It is not desirable that these sub-inspectors should be stationed for such a long period at one single police station.

I think that the requests contained in the first two points would be considered sympathetically by the Hon'ble the Home Member, and he will have no difficulty in accepting the principle that a person who lodges a report at a police station, whether the offence is cognizable or not, should be furnished with a copy of it. That will facilitate matters and at the same time enable the informant, in cases the police is not inclined to challan the case, to file a regular complaint in the court with a copy of the report attached. That will give the members of the legal profession an idea as to what the report contains. It very often happens that in the absence of such a true copy the complainant simply narrates the facts to the legal practitioner, and on the basis of those facts he files the complaint in the court. Afterwards when a copy is summoned from the police it is generally proved that the report made at the police station is quite different from the version that is put in the complaint.

The Hon'ble the Home Member : Sir, as regards the first point made by the honourable mover, my attention has been drawn to paragraph 91 of the Police Regulations which runs as follows :

“When a report is made of a non-cognizable offence, the important portions of the report should be recorded in the check receipt book for reports of non-cognizable offences. The informant should be required to sign or affix his mark to each of the two copies, and the duplicate copy should be given to him the original remaining in the book. The substance of the report should be entered in the general diary and, if the report is in writing, the paper containing it should be attached to the diary. The informant should also be referred to the magistrate, as required by section 155 of the Code of Criminal Procedure.” I do not know whether that meets the point raised by the honourable member. Perhaps after this debate is over he may care to come either to me or to the Inspector General of Police and see this regulation for himself.

As regards the second and more important point, viz. the transfer of sub-inspectors after they have been for a long time in a particular charge, I can tell him at once that not long ago the rule was changed. In future ordinarily—there must always be exceptional cases—an officer in charge of a police station will not be allowed to be in the same charge for more than five years. This, I hope, will meet his second point.

Khan Bahadur Saiyid Jafer Hosain : Sir, what about the point, viz., the police should also furnish the informant a copy of the report in cognizable offences? No reply has been given to that I said

in my first speech that copies are sometimes given of reports in non-cognizable offences, but in cognizable offences no copy is given to the informant. That is my object. If the Hon'ble the Home Member says that the rule is that copies should be given, then all that I can say is that this rule is observed more in its breach than in its observance. For that reason the Government should issue a warning circular to inform the police and station officers to be very strict in this matter and to supply the informants with copies in all cases.

The Hon'ble the Home Member : Sir, it is not always easy to answer such questions without previous notice. I invite his attention, however, to paragraph 87 of the Police Regulations which refers to cognizable offences. If a written report is received, an exact copy has to be made. In all cases the officer in charge of the station must sign each of the three parts, and while the triplicate copy will remain in the book the duplicate copy has to be given to the person who makes the oral or written report, the original being sent to the Magistrate through the Superintendent of Police. Under this rule, therefore, even in regard to cognizable offences the person reporting the offence is entitled to get a copy.

The motion was, by leave, withdrawn.

Rao Sahib Thakur Shiva Dhyani Singh.

راؤ صاحب ٹھاکر شیو دھیان سنگھ

Sir,

I beg to move that under the entire head, a reduction of Re.1 be made.

جناب پریسیدنٹ صاحب —

۱ — میں اس کٹ کے ذریعہ سے جناب آنریبل ممبر - میمبر صاحب کی توجہ

حسب ذیل ۵ پوائنٹس پر دلانا چاہتا ہوں *

۱ — اول یہ ہے کہ گورنمنٹ کا سب سے ادنیٰ شخص ادنیٰ تذخوہ دار ایک

چوکیدار ہوتا ہے - اس سے کم تذخوہ دار کوئی دوسرا شخص نہیں ہوتا ان کی کچھ تہتی ہونے کی ضرورت ہے چونکہ اس کے اوپر گورنمنٹ کے بہت سے criminal کاسوں کا دار و مدار ہے *

۲ — دوسرے یہ ہے کہ ریلوے پولیس اسٹیشنوں پر جو پیسے اپنا حق بتلا کر

وصول کرتی ہیں اس کے واسطے گورنمنٹ کو خفیہ جانچ کرانا چاہیئے اور اگر یہ ہات ٹھیک ہے کہ وہ غریب یکہ والوں - تانہ داروں اور گاڑی والوں سے کہ جو اپنی سواریاں اُتارنے اور لیجانے کے واسطے اسٹیشن پر آتے ہیں ان سے وہ پیسے وصول کرتے ہیں تو یہ بند کیا جاوے چونکہ وہ لوگ پبلک نے آرام کے واسطے آتے ہیں - اور محض غریب آدمی ہوتے ہیں *

۳ — تیسرے یہ ہے کہ سیپے آنریبل friend راؤ بہادر ٹھاکر پرتاب بہان سنگھ

صاحب سرل لائنس علیحدہ میں رہتے ہیں ان کی ایک بڑی شکایت یہ ہے کہ پولیس نے جو latrines بنائی ہوئی ہیں وہ on the road ہیں لہذا اگر وردنمات اس کے ہٹانے کا انتظام کر دے جس سے کہ سڑک پر بدبو نہ پھیلے تو بڑی مشکوریت ہوئی *

[Rao Sahib Thakur Shiva Dhyan Singh]

۴ — چوتھے پہلے کہ پولیس ٹریننگ اسکول نے لیٹے چٹاؤ کرنے کے لیے divisions میں جو کمیٹی دیتے تھے اُس میں سب officials بھی رہتے تھے اُس میں non-officials بھی رہا کریں *

The Hon'ble the President :

مسٹر رحمت خاں اس کا ذکر کرچے ہیں — آپ اپنا نمبر ۵ کہیے *

Rao Sahib Thakur Shiva Dhyan Singh :

۵ — پانچویں پہلے کہ تھوڑے عرصہ سے ملک بھر میں ایک مشہور بدعاش جس کا نام رادھا چرن تھا اُس کی حرکت سے ضلع بالکل تنگ آگیا تھا یہاں تک کہ اُس نے کئی دیکھتی قتل کیے تھے اور کئی دفعہ ایسا ہوا کہ بوجہ خوف کے ٹی پولیس والے deliberately اس کی گرفتاری سے قاصر رہے لہذا میں گورنمنٹ کی توجہ اس کی گرفتاری پر دلانا ہوں کہ جس افسر نے اُس کو پکڑا ہے اُس شخص نے نہایت عقلمندی کے ساتھ اُس رادھا چرن کو ۹ بجے رات درمیان اڈنٹ گاڑیوں کے بیچ کر پکڑا اور اُس پولیس افسر کا جو informer تھا اُس کی information بھی مابل داد تھی — چونکہ میں بھی اُسی تھانہ کا باشندہ ہوں کہ جس تھانیدار نے رادھا چرن کو رات کے ۹ بجے پکڑا ہے میں اس کارروائی کی طرف گورنمنٹ کی خاص توجہ دلانا چاہتا ہوں چونکہ اُس بدعاش کی وجہ سے لوگ بہت پریشان تھے اور اُس کی گرفتاری سے باشندگان علیحدہ کو آرام اور سکھ سے سونا نصیب ہوا ہے لہذا اسے تھانیدار کے گریڈ کی ترقی کا بھی خیال کیا جائے — تاکہ افسر گرفتار شدہ کی حوصلہ افزائی ہو — بس یہی میرے پانچویں points تھے *

The Hon'ble the President : The Hon'ble the Home Member has five minutes at his disposal to deal with the five points of Thakur Shiva Dhyan Singh.

The Hon'ble the Home Member : Sir, I shall emulate the brevity of my honourable and humorous friend, Thakur Shiva Dhyan Singh, and shall speak for less than five minutes. I need not refer again to the village chaukidar, because we had a short time ago an illuminating discussion about him. When the honourable member reads it in print, I am sure that he will be satisfied that all of us, whether non-officials or officials, have a great regard for this humble person. I hope that, if he has any complaints to make about the misdoings of the railway police, or the existence of evil-smelling latrines on roads, he will bring them to the attention of the local Superintendent of Police. I cannot imagine that he will have anything but the sympathy of the Superintendent, not only in regard to the alleged pestering of ekka drivers by the police, but also on the equally important question of foul-smelling latrines. I am very glad to hear the tribute which he has paid to the police officers responsible for the arrest of Radha Charan. I do not want to say anything about this notorious dacoit leader, for I understand that his case is *sub judice*. But I can give to the honourable member a definite assurance, both on behalf of the Inspector General and myself, that the good services

of those policemen who brought about his capture will be fully rewarded.

The motion was, by leave, withdrawn.

(The Council then adjourned for lunch at 1.15 p.m.)

(After recess the House re-assembled at 2 p.m. with the Deputy President in the Chair.)

Thakur Muneshwar Bakhsh Singh : I beg to move that under the entire head a reduction of Re.1 be made.

Sir, the object of my motion is to draw attention of the Government to the grievance of the Hindu community in the matter of appointments in this department. The proportion of posts of sub-inspectors and other police officers held by Hindus is very low and so I wish to draw the attention of the Government and to request that the number of Hindus should be substantially increased in this department. I also wish to know the figures and percentages in the various services in this department of Hindus as well as of other communities.

Khan Bahadur Maulvi Fasih-ud-din : I am very sorry to say that the communal question has again been raised on the floor of this House. I do not want to discuss the question in a spirit of communalism at all on this occasion when we are at the threshold of the new constitution and when both Hindus and Muslims will have to sit side by side and work together like so many mutual-loving colleagues, but I would like to make a few remarks on this subject. This point was raised more than once during the last three years both by the Leader of the Opposition and some of his worthy Hindu colleagues and the Government replied that they were aware that there was a larger proportion of the Muslims in the Police Department than what is warranted by their population figures. If we are to stick very rigorously to the question of the proportional representation of Hindus and Muslims in the Police Department, then we Muslims have got a just claim to have a similar representation in some of the other departments in which we are inadequately represented. Sir, it was only the other day that we were surprised to find from an announcement made by Sir William Stampe that out of 54 engineers employed there were only two Muslims. By looking into the figures of Muslims and Hindus in departments like the office of the Accountant General, Forest Department, Public Health Department, and other numerous departments we find that Muslims are not represented on them even to the extent of two per cent., not to speak of 15 or 20 per cent. Sir, we will be very glad to meet the honourable mover halfway if Government were prepared to come out with a scheme to adjust our proportions in all the departments in which we are under represented and I am sure that every Muslim in this province will welcome that idea, because we do not want to get more in the services than what we are entitled to if the population basis is to be strictly observed.

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But, Sir, the reply of the Government on occasions like these is always that because the Muslims are not well up in connexion with the peculiar nature of the work of a certain department, they are under represented. I ask the Government whether it considers the Muslims to be thoroughly fitted for a department like the Police or not. If in its opinion we are fitted for a work of this kind, then I would ask the Government not to consider a motion like this. But if the Government thinks that the question of the special fitness of the Muslims in the case of particular departments ought not to be taken into consideration, then we would ask the Government with all the force at our command that it should readjust our number in all the departments. If the Government wants that we should be loyal and we should be with the Government in order to counter-balance the political forces that are against it, it should not pay any heed to a demand like the one put forward by my friend.

Sir, I beg to submit here that during the earlier days of the non-cooperation movement when the Khilafat agitation was started by the Congress people, the majority of the Muslims went to the Congress side and the Government saw the result of that combination of the Muslims with the Congress people. Government realized that if the Muslims were to join hands with the Congress, it will be thrown into great difficulties. So, Sir, if the Government have to keep us pleased, we do not object to the reduction of the number of Muslims in the Police Department, but we would certainly claim and claim justly and rightly that our representation in all the other departments in which we are under represented should at once be readjusted.

*** Rai Bahadur Thakur Hanuman Singh :** Sir, I do not rise to create any heat in the discussion which has been started. I wish to say a few words in reply to my honourable friend Maulvi Fasih-ud-din Sahib. I am constrained to state that it is the Muslim community which has persuaded the Hindus to point out to the Government the inequality in the proportion of Hindus and Muslims. Anyone who has read the Muslim Educational Conference report will come to the conclusion that they are strongly demanding a proportionate share not only in all the services but in educational institutions also. The attitude of the Muslims of the whole country should be considered as a whole. Everybody knows here that in the Frontier Province the Minister for Education there, who is a Muslim, has issued a circular . . .

The Deputy President : Will it not be proper if we do not go outside the bounds of our province?

*** Rai Bahadur Thakur Hanuman Singh :** Sir, I said this by way of example of what was the attitude of the Muslims. On account of it the people of the Punjab and the Frontier Provinces, whether Hindus or Sikhs, are very much perturbed. If the Muslims change their policy but make no difference whatsoever in their demands, I think the Hindus will not object to the Muslims getting much more

than their proportion. Sir, there was a time not very far back when Hindus used to employ Muslims in large numbers in preference to Hindus, but the Muslims employed Muslims only. Sir, it is the attitude of the Muslims and their want of sympathy with the Hindu aspirations that is getting the Hindus to take up such matters and bring them before the Council and the public. If they mend their ways the Hindus will be prepared to join hands with them and see that their just claims are met.

Munshi Amir Hasan Khan : Sir, I am not against the Police department nor am I trying to find fault with it unreasonably. My aim is to make the police of this province ideal so far as it is possible for the heads of the department to make. I know from experience the attitude of the police towards the public. Most of them regard themselves to be the gods of Olympus, and look down upon the public with contempt. Amendments should be made in this attitude. Other amendments that I want to impress upon the heads of the department are as follows : A report is made by some person at a thana that he was beaten by five men. The head constable tells him to say not five but four in order to make it a non-cognizable offence. In the report 4 names are written, but when a complaint is filed on the basis of that report against five, Deputy Sahib says " You named four persons at the thana and now you say five. You are a liar and you have made a wrong statement. You will be prosecuted under section 193." These things do occur. Therefore I request that a circular be issued for the guidance of the police in the United Provinces that all the names that are mentioned by the reporter should be taken down. If the officer does not want to investigate any case as a riot case they can note that.

Now look at the copies that are given to the reporter. Nobody can decipher a carbon copy. I, who have the experience of 14 years as Government Pleader, cannot read them even now, and I am sure none of the Heads of Departments can read them. Once Mr. Mudie, Collector, Cawnpore, did circulate an order in his district, but no improvement was effected. My point is that the authorities should take a note that it is useless to give such copies written with carbon, which cannot be read. The reporter then again has to go to that very clerk, hand over to him and then get an ink copy. This should be avoided.

My experience of Cawnpore during the last subversive movement and the non-cooperation movement compels me to point out to the authorities concerned the corruption rampant in the lower rank. I do not mean to blame each and every one of them. A majority of the lower grade officers have become addicted to corrupt practices. Constables and head constables approach men of substantial means, traders generally, and if unpleasantness occurs they are heard uttering "*Achchha Goonda Act ke liye taiyar raho*". This should be put to an end at once. I had to draw the attention of a very able and distinguished officer Mr. Smith, Superintendent of Police, there and also I spoke to the Deputy Inspector General whom Mr. Biggane,

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relieved and they agreed with me that this should not recur and some officers were even directed to keep an eye, but no improvement has been made in that direction. Therefore in the interest of the whole city, not in the interest of one or two citizens, this should be stopped. During the time of the subversive movement we moderates tolerated many unpleasantnesses, but now the situation is normal and we see further toleration of excesses difficult. We have condoned them in the past when peace was being restored and rowdyism exterminated root and branch. Outsiders may not understand the point but they should think over it.

My fourth point is about circle inspectors. This is a useless office because very few of them issue instructions to investigating officers for the conduct of pending investigations. Their work lies more in whitewashing the shortcomings of thana people of their circle. Under the fostering care of some inspectors shortcomings of many police officers are shelved. Deputy Superintendents, no doubt, keep generally their heads high and do good work in maintaining discipline, if anybody goes to the Superintendent of Police and complains about a constable, head constable, or a sub-inspector, the inspector is informed that such and such a man is going to the Superintendent of Police. The Inspector gathers information, thinks out a plan and rushes to the Superintendent of Police and says—“*Huzur, bara ghazab hone wala hai.*” The Superintendent of Police says, What is that ghazab?” The Inspector Sahib says—“*Sarkar, bas ab sab indizam gaya.*” The Superintendent of Police asks—“*kaise gaya?*” He is told—“*Huzur, ap ke matahton ki jab aisi zillat aur khurari hogi to huzur kaun natukri karna pasand karega. Sharm ke mare mare jate hain; waqtay yih hai aur falan falan ne yih huzur se kahlaya hai. Police ki is men prestige nahin rahegi.*”

The result of this *peshbandi* is that when the man goes to the Superintendent of Police to make the complaints, the Superintendent of Police sometimes turns a deaf ear to what is said because he thinks his prestige is in danger, and some times he hears with outward patience and drops it as worthless. Superintendents of Police should be told to invite the citizens to put their grievances before him, if any, and they should find out by different means whether the complaints made are true and punish the culprits severely in order to affect wholesome check on the misdeeds of others. Once when Mr. Beadon was the Superintendent of Police at Cawnpore there was a Muslim head constable who was strictly honest. I knew the head constable and I spoke to Mr. Beadon to give him a lift on account of his honesty and to give a lesson to others who were not honest, but Mr. Beadon could not give him a lift. Then came Mr. Pratt, Deputy Inspector General of Police, on his tour. I spoke to him also about giving him a lift. Mr. Beadon also happened to be with him. I told Mr. Pratt that the head constable was very honest and that Mr. Beadon would bear me out. Mr. Beadon said that he was honest. Then Mr. Pratt questioned him why he was not given a lift. Mr. Beadon replied that the man was not intelligent.

enough. I was surprised at this and I asked Mr. Beadon what did he mean by "not intelligent enough." He said "The man is intelligent, but not clever enough for promotion." So here was another word "clever" for "intelligent." The result was that although Mr. Beadon was a very noble soul and was loved by every body, his servants, his subordinates, and by the public, the head constable was not given a lift by him but by Mr. Pratt. When Mr. Beadon and I were alone he told me that besides intelligence the police department also want something else in their men for promotion which was lacking in the head constable, whom I had recommended for promotion. Unless senior honest men are given preference over dishonest ones and exemplary punishments are given to those who are found to be dishonest, corruption cannot stop.

There is, Sir, a fifth point. There was once a procedure by which appeals filed by police men were heard by the Commissioner. Our Hon'ble Home Member is thoroughly conversant with that procedure as he was once a very amiable Commissioner and a very good judge in his court. He used to hear appeals from police officers. That procedure has now undergone a change. Now those appeals are heard by the Deputy Inspector General of Police who is a promoted Superintendent of Police. There is a great difference in the outlook and experience of an I.C.S. and a D.I.G. though the latter are intelligent and experienced but in their own sphere and not in the sphere of British justice and jurisprudence. Therefore, when constables and head constables file appeals, they anticipate results. They say, "*Huzur appeal kharij hojawegi*," What is the use of having this procedure of appeal before the Deputy Inspector General when before filing the appeal the appellants know in his heart of hearts that the appeal would be dismissed. Is it not a farce? Therefore, I propose a change, a better change that was adopted when our noble spirited Hon'ble Home Member was Commissioner.

There are two more points. The other day Mr. Hunter, Judge of Cawnpore, heard a jail appeal from a person convicted under section 109. The learned judge remarked in his judgment, "I know the magistracy of this district; the magistrate does not want to find out whether the conduct of the accused falls within the purview of section 109." These are the remarks of Mr. Hunter an experienced judge who will soon become a Judge of the High Court. If a poor man comes back home late in the night say at 11 o'clock and has not the courage to stand and speak to the constable when challenged he is run in under section 109 and the constable states in court that he after being challenged ran, gave wrong name and address. It is not that he has committed any offence; but because the accused failed in courage and hence challaned and convicted. There have been many rulings of the Calcutta High Court and the Allahabad High Court on this point.

One more point and I have done. I was in the Congress for several years. But when the Congress adopted force and movements subversive of law and order I severed my connections with it.

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But I still agree with some of their principles, and at the same time I disagree with others. Speakers sometimes are led away by over-zeal and sometimes to make out their case for future election, do employ words that widen communal gulf but this should not happen on the floor of this House. Speeches in this House should go to bridge gulfs, soothe injuries and inspire tolerance and love which is very necessary to work out the Reforms achieved after so many years hard labour, and train outsiders that India possess spiritualism that pervades this world and that every living man is brother to each other.

The Hon'ble the Home Member : I am grateful for the speech of the honourable member who has just spoken, for I was beginning to be a little afraid that some ill-feeling might be engendered in this House. By his humorous and interesting speech he has put us all into good humour. I do not think that he expects me to reply to the various points that he has raised. I have referred to some of them in the many speeches that I have inflicted on this Council today. I pass on his remarks regarding the alleged lack of acquaintance of Superintendents of Police with law to my honourable friend, Mr. Horton, who was at one time a most distinguished Superintendent of Police. If it had been necessary for him to speak on this subject, I am sure that he would have had a great deal to say from the point of view of the Superintendent of Police. I now turn to the motion.

All that my friend, Thakur Muneshwar Bakhsh Singh, appears to want is some information regarding the relative number of Hindus and Muslims in the Police service. I did not know the object of the motion till a few minutes before he commenced his speech. Consequently I hope that he will excuse me if I am not able to give the full figures. From the papers before me, it appears that on 31st December, 1935, there were 15,058 Muslim head constables, naiks and constables, as against 15,911 Hindus. The number of inspectors and sub-inspectors who were Hindus was 1,159 as compared with 908 Muslims. In regard to gazetted ranks Mr. Horton has just informed me that the percentage of Hindus to Muslims is 59 to 41. I have only to add that as stated in an answer to a question in Council some time ago the question of the representation of the various communities in the different services is at present under the consideration of the Government.

Thakur Muneshwar Bakhsh Singh : I wanted some information and as I have got that and as the question is under the consideration of the Government I beg to withdraw my motion. At the same time I only wish to remark that I never raised any communal question on the floor of the House. My only object was to bring to the notice of the Government the poor representation of the Hindu community in the Police Department. I am sorry that I had to hear an objectionable speech from Khan Bahadur Maulvi Fasih-ud-din. I think he did not understand my intention. With these words I beg to withdraw my motion.

The motion was, by leave, withdrawn.

The Hon'ble the Home Member : Sir, may I just say a few words ? I want to thank the Council.

The Deputy President : It is not usual for an honourable member to speak, unless there is some motion before the House, but as a special case I shall allow the Hon'ble the Home Member to say a few words.

The Hon'ble the Home Member : Sir, I am very grateful to the Chair for the permission given to me. I wish to thank the honourable members of this House for the very kindly way in which they have treated me, the Inspector General of Police and Mr. Frampton in my first police budget. I would also like once again to thank Mr. Horton, who also was present for the first time in a police budget debate, and Mr. Frampton. Last but not least I should like to pay a tribute to Mr. Sathe. Many honourable members regret the departure of Mr. Sathe from the scene of his labours for the last three years. He is an old personal friend. In addition to his ability and industry, he has a quality which endears him to all who know him. I mean his great modesty. I have seldom seen a more humble minded man. I also thank you, Sir.

The Deputy President : The original demand for grant under Police was for Rs.1,55,52,326. Since when the Council has carried cuts to the extent of Rs.10,001. The question is that the sum of Rs.1,55,42,325 be granted for Police.

The question was put and agreed to.

Grant No. 26. 9—Registration.

The Hon'ble the Minister for Local Self-Government : Sir, I rise to communicate to the Council the recommendation of His Excellency the Governor that under Grant no. 26—Registration—Head of Account —9—Registration, a sum of Rs.4,67,410 be voted, and I move that the said sum be voted.

I regret very much to inform the House that during the current year the revenue of this department has fallen, and I am afraid that the income of the department is likely to remain below Rs.11 lakhs even in the ensuing year. The reasons are obvious. There is a general depression. There is also the fact that we have had debt legislations which have undoubtedly partially affected the income of this department. Let us hope that better days will return and it will be possible for this department to yield a much higher income than it has done during the period of depression. Turning to the expenditure, I will inform the House that during the ensuing year the estimated expenditure is less by Rs.12,830 than the current year; namely Rs.4,80,240. I do not think I shall be justified in wearying the House by referring to the various details. I assure the House that we have retrenched and economized in every direction. We have abolished two posts of Inspectors. We have abolished certain posts of registration muharirs; we have also closed down unimportant registration offices; we have effected economies under civil works, travelling allowance and

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contingencies. There are some posts of registration muharrirs which are in abeyance and we hope that in the coming year it may be possible for us to effect further retrenchment. But I should like to assure the House that we have gone to the farthest limit possible in effecting economies and retrenchment and any further retrenchment will undoubtedly seriously impair the administration of the department. In fact a stage has been reached when if the House is not prepared to take a generous attitude towards this department, efficiency will be seriously affected. Let me hope that the House will be prepared to vote a substantial sum for the purposes of increasing the efficiency of the department and also for extending its activities so that on the one hand we may increase our income in the department and on the other we may be able to exercise closer supervision and control and also increase the efficiency of the department.

With those words I commend the motion to the House.

Thakur Giriraj Singh : I beg to move that under sub-head A Superintendence—1—Pay of officers, a reduction of Rs.1 be made.

In this connexion I beg to submit something about the recruitment of inspectors of registration offices. As the House is aware, Inspectors of registration are recruited mostly from amongst outsiders. If their number is three, one is taken from amongst the sub-registrars. But, during the last three or four years, B. A.'s, M.A.'s, B.A., LL.B.'s M.A., LL.B.'s have been selected by the selection committees as sub-registrars. So now the case is quite the reverse of what it was previously. Formerly, people who had not passed even the high school examinations were taken as sub-registrars, but we have now got highly qualified sub-registrars. Therefore I do not see any reason why in the future, when a vacancy occurs in the cadre of registration inspectors, a chance should not be given to the sub-registrars. It generally happens that a sub-registrar gets the chance of working as an inspector when he is about to retire and when his salary is about Rs.275. As sub-registrars have got actual experience of registration work, they should be given more chances in preference to those who are outsiders and do not know anything about registration and inspection. As far as I am aware, there are so many registration offices in the province that one inspector inspects a registration office only twice a year. In the Detailed estimates of 1936-37, I find that the number of inspectors has been reduced from 5 to 4. If we look to the number of registration offices, we find that they are about 222, and it is very difficult for four inspectors to supervise the work of so many sub-registrars and registration offices.

To sum up, I beg to submit that in future no outsider should be appointed or selected as Inspector of Registration. Sir, with this object I move this token cut.

Khan Bahadur Maulvi Fasih-ud-din : I give my whole-hearted support to the motion of my friend, Thakur Giriraj Singh. The appointment of outsiders as Inspectors has been a matter of legitimate grievance on the part of the sub-registrars and has created general

dissatisfaction amongst them. It goes without saying that the morale of the sub-registrars has increased very much during the last five or six years by the recruitment of graduates in that line. Besides, the sub-registrars have now got the time-scale of pay and for that reason the old reputation for corruption has almost disappeared. In these circumstances it is a piece of gross injustice to them that any outsider should be recruited as a Registration Inspector. It is the sub-registrars who know the ins and outs of the work of the department and it is they who can claim to get higher promotion in the grade of Inspectors when there is a vacancy in that grade. The appointment of outsiders is a mistake and a great mistake, which cannot be justified at all by any kind of argument that might be put forward.

The Hon'ble the Minister for Local Self-Government : I should like to give a history of this question. As far back as I think 1929 this question was mooted on the floor of the House and some questions were also put by no less a person than Mr. Gurtu. He pressed the claims of sub-registrars, and at that time I gave an assurance that out of the six posts two posts would go to sub-registrars. Since then there has been a further development, and we have now made a rule that 50 per cent. of the recruitment in this cadre should be made from amongst the sub-registrars. In view of the fact that there are a large number of sub-registrars it is only fair that a substantial number of posts must be there which sub-registrars could look forward to. But honourable members will recognize that there must be an inflow of fresh blood, that suitable young men with necessary equipment should get an opportunity of getting employment. Only recently we were discussing the question of unemployment. Can we now turn round and say that we shut the door to the young men who aspire directly to be appointed as Inspectors of Registration? Obviously not. The existing arrangement works out to be a very fair one indeed and no exception has been taken to it. I fully recognize the claims of sub-registrars and honourable members will realize that it is with a view to meet their wishes and to protect their interests that I have increased their representation from one-third of the total recruitment to 50 per cent. now. It is now laid down in the rules that 50 per cent. recruitment will be made from amongst the sub-registrars and another 50 per cent. directly. This, I think, is the most fair and just arrangement, and I do hope that my friend will see his way to withdraw his motion.

Khan Bahadur Saiyid Jafer Hosain : Sir, I was going to support my honourable friend's motion, but I find that he is quite prepared to withdraw it. So it will not take me long to finish my speech. I still adhere, in spite of the fact that my friend is quite eager to withdraw his motion, to the point that there is a good deal of complaint among the ranks of the sub-registrars that they have not sufficient prospects before them under the existing time-scale, and that all the posts of Inspectors should be reserved for them and that no outsiders should be taken. I think there is considerable force in that contention. Considering that most of the candidates for Inspector-

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ship are graduates, viz. B.A., M.A., B.A., LL.B., and M.A., LL.B., they should begin at the bottom as sub-registrars if they are inclined to enter this department. That would be a good idea of infusing new blood in this service. They can look up to the posts of Inspectors in due course of time. That is my idea and I still adhere to it.

Thakur Giriraj Singh : Sir, the reply given on behalf of the Government is that in future 50 per cent. recruitment would be made from amongst the sub-registrars. As the Hon'ble Minister has been so kind as to raise the percentage of recruitment from one-third to one-half, I withdraw my motion.

The motion was, by leave, withdrawn.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I beg to move that under sub-head A Superintendence—1.—Pay of Officers, a reduction of Rs.1 be made.

My object in moving this motion is twofold. First of all, I want to know why no portion of the pay of the Inspector General of Registration has been shown under this head. It is evident that the Inspector General of Registration is doing some other work also, but in spite of that he spends some time upon discharging the duties of this department. To my mind it would have been a right thing to show a portion of his pay in this budget also, because under this head there are shown both receipts and expenditure. If this had been done, one would have been in a position to see how much is received and how much is spent under this head. It seems to me that there has been some mistake on account of which no portion of his pay is shown under this head.

My second point is that there is a proposal for making a reduction in the number of Inspectors. That is to say, in the current year their number is five, but now the Government proposes to reduce the number to four. So far as the budget memo. is concerned one finds there that "a provision of Rs.3,000 was made in the current year's budget for an additional post of Inspector. The post was not subsequently sanctioned as a measure of economy. Provision for the post has accordingly been omitted but the net decrease amounts to Rs.2,000 only as an addition of Rs.1,000 has been made on the basis of actual requirements and also to provide for the annual increments." But no explanation is given here as to how they are going to abolish the proposed post in the Inspector's cadre, and whether they will distribute the work in such a way that the four inspectors will be able to cope with the work. At the same time, one cannot understand whether the work will suffer or not. It is not desirable that due weight be not given to the efficiency of the work. What is the real position? In these days of unemployment one has to be careful about any reduction, and every care should be taken to see that no post should be reduced without sufficient reasons. It is with this object that I have moved this motion. I will wait for a reply before I decide whether or not to withdraw it.

The Hon'ble the Minister for Local Self-Government : The first point that has been raised by my friend is a technical one. Certainly,

it might occur to anybody as to how it is that there is no provision for any allowance for work in the Registration Department by Excise Commissioner. But the Head of the Excise Department is doing work for two departments. This is purely a matter of accounting, and is very technical. The Excise Commissioner is drawing his pay in the Excise Department, and so nothing is shown under the Registration Department.

As to the other question, namely the reduction of a fifth man in the cadre of inspectors, I may inform him that there is no provision for a fifth man. But I entirely agree with him that there should be one more man to cope with the work. The work is expanding ; and unless we exercise closer scrutiny and supervision, and unless these inspectors devote a good deal of labour and keep vigilance, they will not be able to maintain the present income of the department. I am sorry to say that the income has fallen by Rs.2 lakhs. Unless inspection is to be of an efficient standard, and there is a sufficient number of inspectors, it would not be possible for us to increase the income of this Department. I hope that in view of what I have said my friend will see his way to withdraw the motion.

Munshi Gajadhar Prasad : I regret that the speech of the Hon'ble Minister has not convinced me. It is not purely a technical matter that no mention has been made in the budget itself of any payment being made to the Inspector General under this particular head. I take it now, in view of the statement made on the floor of this House by the Hon'ble Minister, that the work of the Inspector General more or less, so far as this department is concerned, is honorary. It would certainly have been proper to give some explanation on this point in the explanatory memorandum or, in any case, to make a mention of such allowances as he might draw from the Registration Department or to state the reasons for the omission. On this point also there is no enlightenment either in the explanatory memorandum or anywhere else. I am very glad that the Hon'ble Minister has conceded that it is necessary that one more man, so far as the cadre of inspectors is concerned, should be added. May I know what will be the percentage of recruitment in the case of the fifth man ? How would the percentage of 50 per cent. be kept up ? Would he be a man from the department or some new man ?

The Hon'ble the Minister for Education : Half and half.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I still hold the opinion that it would have been better if a portion of the pay of the Inspector General had been shown under this head. When he devotes a certain portion of his time to the work of this department, it is in the fitness of things that a portion of his pay should be shown here and in my opinion it is not right that his entire pay is shown under other head. He gets his full pay from the Government treasury, but I think this is a matter in which the Hon'ble Minister should consult the Finance Department and I hope Mr. Sathe, who is just entering this House, will also agree with the proposal which

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I have made and in future a portion of his pay would be shown in the budget of this department also.

As regards the second point I am glad to hear from the Hon'ble Minister that he himself realizes that there is no room for reduction in the number of inspectors and this being the case, I request the Hon'ble Minister not to retrench one post and to let the cadre remain as it is at present. There is, however, no question of any addition to the number of inspectors. There were budgeted five posts this year and they should remain at that figure. One post may not be filled up owing to financial stringency this year but why should the cadre be reduced by one?

The Deputy President : What is the issue?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : The issue is that no reduction should be made in the posts of inspectors.

The Hon'ble the Minister for Local Self-Government : May I make it clear that there is no question of reduction of any post? As a matter of fact we have got at present only four Registration Inspectors and we propose that there should be a fifth inspector.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : You had five last year.

The Hon'ble the Minister for Local Self-Government : Last year the item was passed but it was disallowed by the Finance Department later on. Unfortunately there is no provision for the fifth inspector in the present budget.

(At this stage the Hon'ble the President resumed the Chair at 3.5 p.m.)

Now, with regard to the other point raised by my friend Munshi Gajadhar Prasad that how half and half recruitment would be made, if a fifth man is appointed, all I can say at present is that that is a matter entirely within the discretion of Government and it is for the Government to decide where the recruitment should be made from. I am not yet in a position to make up my mind about it. I shall examine the merits of the case and then decide where recruitment should be made from.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : May I put a question?

The Hon'ble the President : The question should be put when the Hon'ble Minister has finished his speech.

The Hon'ble the Minister for Local Self-Government : As regards the point that the pay of the Excise Commissioner should be split up and shown at two places, it is obviously not a very sound suggestion. It is from the point of view of convenience in accounting that the whole of the pay is shown in one place. There is no point in dividing the pay into two portions when the total pay can be shown at one place with greater convenience. The Finance Department will obviously oppose it as it will add to their difficulties and the Accountant General will also oppose it, because it is much more convenient to show the

whole pay at one place. The inconvenience will be very great and it will be against canons of accounting. With these words I do hope that my friend the mover will withdraw his motion.

The Hon'ble the President : What is the question now ?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : I wanted to know what is the existing number of inspectors employed ?

The Hon'ble the Minister for Local Self-Government : Four.

Mr. C. Y. Chintamani : The Hon'ble Minister has spoken of fall in revenue of 2 lakhs under this head. Where is that fall of revenue ?

The Hon'ble the Minister for Local Self-Government : If my friend will look at the figures for 1934 and 1935 he will find that the estimate of the receipt was 13 lakhs and odd and that had been the income in that Department, but as luck would have it, due to general depression and fall in prices, it has fallen by about 2 lakhs.

Mr. C. Y. Chintamani : Will the Hon'ble Minister look at page 233 of the Detailed Estimates and point out where is the fall ?

The Hon'ble the Minister for Local Self-Government : I am referring to the past history of the figures and comparing it with the present figures. I am not quoting the figures from the Detailed Estimates.

Mr. C. Y. Chintamani : So there has been no recent fall of revenue.

The Hon'ble the Minister for Local Self-Government : There has been, all these years.

Mr. C. Y. Chintamani : It is invisible.

My next question is: The Hon'ble Minister has said that the Accountant General objected to the pay of the Inspector General and Excise Commissioner being shown at two places. I should like to know when the point was referred to the Accountant General and when he gave that ruling.

The Hon'ble the Minister for Local Self-Government : The matter was not actually referred to the Accountant General. It is obvious from the point of view of accounting that it will be inconvenient if the pay is shown at two places when it can be shown easily at one place.

The motion was, by leave, withdrawn.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I beg to move that under sub-head B—District Charges—1. Pay of establishment—Sub-Registrars, a reduction of Re.1 be made.

I want to draw the attention of the Government towards the method of selection of sub-registrars. Owing to acute unemployment the Government receives thousands of applications whenever they advertise for this post. Out of these they select a few for interview. There was a large number of applications for this post this year also but, so far as I am aware, Government has invited about 80 candidates for interview, out of which they will select only 8. Owing to economic depression it is very difficult for the parents of such candidates

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to bear the expenses in connexion with their travelling in coming to Lucknow and staying here. Some of them have been in Lucknow for weeks and they have been incurring heavy expenditure. Though the boys themselves want that they should be called for interview, but it is very hard for their parents to bear those expenses. I want to know whether there is some rule as to how many candidates are to be called for interview for each post, that is 10 times 12 times, or 15 times the number of posts to be filled. To my mind it is sheer waste of money to call so many candidates for selection. In my opinion if at the most three are called for each vacant post that will suffice, because when the department can select about 80 out of 1,000 or more for interview, it can in the same way select only 24 or 25 for 8 posts. In that case not so much expenditure will be incurred. They will select only 8 and the others will be much disappointed. Therefore, my suggestion is that so many candidates should not be called for an interview and this will also save the members of the committee a lot of embarrassment to which they are now put, therefore I hope the Government will respect the suggestion which I have made.

Rai Bahadur Vikramajit Singh : I am sorry I cannot agree with the suggestion of my honourable friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan because I know from personal knowledge that there are a large number of candidates who wish to be included in the interview as they want to take the chance themselves, although I think it would be much simpler for the selection committee to call only a few candidates. It will be a great disappointment to a large number of candidates who apply for the post, if they are not called for an interview. Therefore if the selection committee had a larger number of candidates for interview I do not think that the candidates can possibly have any grievance, as a matter of fact I have not heard from any of the candidates that they were unnecessarily called for interviews. I know that many candidates feel disappointed if they are not included in the interview. However, this is not a matter for the Hon'ble Minister at all. The selection committee goes through all the applications and invites people for interviews and I think that if the candidates want to have the chance of having an interview with the selection committee we should not stand in their way. It will be exceedingly simple for the selection committee to have only a smaller number of people for the interview but at the initial stage they are probably not in a position to make up their mind and they give many candidates the chance of an interview whom they consider deserving. Therefore, I think it is not in the interests of the candidates to accept the suggestion of my friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan, as they will have a grievance if the Government insist on the selection committee that a very much smaller number of candidates ought to be invited for the interviews.

Thakur Giriraj Singh : I also oppose, with due respect, the motion of my honourable friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan. I do not understand why he says that only 25 should be invited for interview. There are 48 districts in the province and if

one candidate from each district is called the number of candidates will be 48. As far as I remember, many applications are sent to the Inspector General of this department. I do not know what is the procedure which is adopted in calling those candidates. As far as I am aware for 8 vacancies he will call 80 candidates this year, and in addition to them the Hon'ble Minister will send a few applications which are submitted to him direct so that in that case the number will swell to about 100. Three years back 12 candidates were taken and as far as I remember not less than 200 candidates were called for interview. There is no harm at all for giving at least a chance to a larger number of candidates. I am not at all in agreement with the honourable mover that only a few candidates ought to be called for interviews when there are vacancies for 8 or something like that. But I would go to such a length as to have a competitive examination and all the candidates should be allowed to sit for the examination. Half of the number may be taken in this way and half by the selection board. There are some, who are qualified, are not called sometimes for interviews. With these few words, Sir, I oppose the motion of my honourable friend.

***Mr. C. Y. Chintamani :** Sir, the speech of the honourable member who has just sat down has mentioned one or two points which deserve more attention. He first mentioned that applications were sent to the head of the department and the head of the department from among the applications which he received was to select a certain number who would be called for interview before the selection committee. Evidently the number of applications is too large and a certain number of applicants is obviously unfit for selection to be given the trouble of interviewing. Therefore the head of the department performs the necessary function and weeds out the unfit candidates and puts up only those from among whom appointments might be made. The honourable member who has just sat down has mentioned that certain applications were received direct by the Hon'ble Minister and that he forwarded them to the head of the department. If this be true the practice cannot be condemned too strongly. When the head of the department is appointed by the Government as the officer to whom applications were to be addressed, when he is entrusted with the function of making selection from among the applications of persons who might be considered by the selection committee after interview, why does the Hon'ble Minister intervene? The Hon'ble Minister is the official superior of the head of the department. If certain applications reach the head of the department through him, the position of the head of the department is obviously invidious. Is he to take no notice of them as if the Hon'ble Minister was nobody or is he to pay special attention to the applications received through him and do injustice to those applicants who had been unfortunately not in a position to transmit their applications through the Hon'ble Minister? I should like further to know whether the head of the department is left complete freedom to deal with the applicants who approach through the Hon'ble Minister in

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the same manner in which he deals with other applications or does he receive instruction from the Minister that those applications, which he forwards, should certainly be placed before the selection committee regardless of their qualifications although they might decidedly be inferior to others in qualifications. With regard to the limit of 80, is it absolute or contingent? Is the head of the department to select 80 of the best applicants and to weed out some of the better qualified applicants in order to make room for the Minister's nominees or is he permitted to place before the selection committee the 80 plus as many as the Minister has recommended to him? Formerly there has been no question of recommendation by the Minister to the head of the department by the transmission of application to the head of the department through the Minister. There used to be a selection committee. The present Minister abolished that system. Consequent upon certain agitation inside the House the selection committee has been revived. But if it has been revived subject to the retention by the Hon'ble Minister of the privilege or the right of asking the head of the department, who is subordinate to him, to receive applications through him and to pay some special consideration to those applicants, then the selection committee's position itself is made invidious whereas the position of the Inspector General of Registration is made almost impossible. The only remedy for this is to substitute for the present system of appointment the method of competitive examination. Let the minimum qualifications be laid down, which should be satisfied by the applicants and let everyone of them be allowed to compete with every other and those who come out most successful be selected. The present system does not make for efficiency. Perhaps it does not make for impartiality and reduces the position of the head of the department to an absurdity and retains in the hands of the Minister the power to misuse the patronage which the present incumbent of the office of the Minister has shown in the case of nominations to municipal and district boards and in another matter how greatly it has been misused.

Khan Bahadur Haji M. Nisar Ullah : Sir, it has been said just now that the number of candidates for the interview should be restricted. Out of about 1,000 applications which have been made for eight posts of sub-registrars, some 80 have been called for interview and the argument advanced for increasing the number of candidates for interview is that the candidates should be given greater chances. As my friend, Rai Bahadur Vikramajit Singh has already said, the greater the number of candidates called for interview the better for them. I also think, Sir, that in the interests of the efficiency of the service, the larger the number of candidates interviewed the more good for the service itself, because the committee will have greater chances of selecting candidates out of them. But the criticism made by the Leader of the Opposition just now against the procedure adopted by the

Hon'ble Minister in nominating candidates for interview is altogether uncalled for. I cannot understand what is the object of this criticism at all, when there is a selection committee in which there is a president and there are four members who have got independent views. The Minister does not attend the committee to plead the cause of his nominees, nor does he make any recommendations to the members of the selection committee, and there is no reason to apprehend that the Minister will use his influence in the selection of the candidates. I do not think the Leader of the Opposition is justified at all to stop the Minister from making nominations for interview and this is the point which I wanted to bring forward before this House.

Khan Bahadur Maulvi Fasih-ud-din : Sir, I entirely agree with the opinion of my Leader that the number of those candidates who are to be called for interview should not be restricted. My friend Mr. Chintamani has put a question whether the number of candidates who are called for interview is contingent, or is it fixed? My own experience is that that number is contingent and not fixed. It depends on the number of those who apply for the post. As regards the other objection that the Hon'ble Minister sends on applications to the head of the department, my own personal experience is that some of the candidates through some mistake or other send their applications to the Hon'ble Minister instead of to the Inspector General and for that reason the Hon'ble Minister has to forward those applications to the Inspector General of Registration. I think the Minister in charge of Registration is not a germ of contagious disease so that if an application goes through him to the head of the department, it ought to be treated as null and void or that the Minister by doing so is influencing the head of the department. The Minister is not at all responsible for the selection of candidates by the committee.

But one thing, Sir, that I specially want to bring out in this connexion is that our past experience of the results of selection of candidates by the committees has not been very satisfactory from the point of view of the public at large for the simple reason that we find that at times men of very inferior educational qualifications have been selected by the committee, while men who are M.A.'s, M.Sc.'s. and even those who have got English degrees have been rejected for reasons best known to the committee. We are not aware of the principles on which this committee has been acting in the matter of selection. There ought to be some principles to guide the selection committee in the selection. I am sure, Sir,—and I can assure you that this is a fact—that great discontent prevails in this province about the manner in which these selections are made. We were under the impression that selection by this committee will do away with favouritisms and jobbery, but I am sorry to say that the results have been very disappointing in that respect.

Shaikh Muhammad Habib-ullah : I am sorry to have to remark that my friend the Leader of the Opposition has again been rather ungenerous to the Minister. After all the Minister is above the Head of the Department, and I think he has got what may be called residuary powers by reason of his being a Member of Government. When I used the words "residuary powers" I meant the powers which the Leader of the Opposition himself exercised when he was Minister. To attribute a motive of such a mean type to the Minister that he passes on an application to the Head of Department in order to influence him to put the application before the Selection Committee I think is by no means fair. As has been pointed by some members, there may be people who may send their applications to the Minister; or their parents, as is usual in India, may go to the Minister and tell him, "Here is my son who wants a job," and the Minister simply passes on the application to the Head of Department. After all, we cannot forget, we should not forget, that we want to select people for the post of sub-registrars. It is not a post which requires special qualifications of high order. I think any intelligent matriculate or intermediate passed is fit to discharge the duties of a sub-registrar if he is properly trained for a short period. What is it that is done by the Selection Committee. Suppose an intermediate-passed student who has got good physique and is intelligent appears before the committee and they find that he is the son of an officer who had done good service in the department and has died, they will be perfectly right in selecting him in preference to a B.A. or an M.A.

Khan Bahadur Maulvi Fasih-ud-din : In preference to a B.A. or an M.A.?

Shaikh Muhammad Habib-ullah : Yes, in preference to a B.A. or an M.A. because his parent died while in the service of Government, and if the boy is intelligent and fit enough for the work, then that selection will be perfectly valid. If I were a member of the committee, then I would select him conscientiously in preference to a B.A. or an M.A.

Rai Bahadur Vikramajit Singh : Are you not a member of the Selection Committee?

Shaikh Muhammad Habib-ullah : No, I am not anxious to be appointed to the Selection Committee.

The Hon'ble the President : The difficulty of the Hon'ble Minister is—which honourable member he should follow Khan Bahadur Maulvi Fasih-ud-din or Shaikh Muhammad Habib-ullah, because both are retired Government officers.

Shaikh Muhammad Habib-ullah : The point of retirement differs; we retired at different stages of life, and from different positions, and we always differ.

Rai Rajeshwar Ball : Does the hereditary principle apply to the case of sub-registrars or to other officers also?

Shaikh Muhammad Habib-ullah : I do not apply the hereditary principle. That principle applies only to patwaris and qanungos.

Rai Bahadur Vikramajit Singh : Would you put any premium on University education ?

Shaikh Muhammad Habib-ullah : I do certainly. But I say that it is not always that we should select men who are M.A.'s and M.Sc.'s, otherwise our Selection Committee will be confined to selecting M.Sc.'s first and B.Sc.'s afterwards and so on and so forth. That is not the job of the Selection Committee. The Selection Committee sees the physique of the young man, sees whether he possesses a fair amount of intelligence. If he is asked who was the author of "Ain Akbari," and he says Akbar Hydari, he should certainly be rejected at once, although he may be an M.Sc.

I agree with my friend that we should not reduce the number of applicants for interview because of the reasons described by the mover of the resolution that on account of the travelling allowance and inconvenience they feel the pinch if they are not selected. I agree that there is more strong feeling against not being selected for an interview than there is against not being selected when called to interview.

Khan Bahadur Saiyid Jafer Hosain : Sir, I am afraid some honourable members have strayed far from the track of this motion. I will confine myself strictly to the motion which is before the House, and to the object as defined by the mover of the cut. I do not think that any good purpose would be served by restricting the number of applicants for interview. In the first place there will be a general complaint from the districts all over the province that the candidates who would ultimately perhaps might have been selected were not called for an interview. At best it is an invidious task of the Inspector General to select candidates out of a total number of applications received by him. But considering the fact that in these days of unemployment of educated classes, we must not act in a way as to give an impression that the Government want to stifle the attempts of educated young men to secure jobs, there can be no principle on which we could select and restrict the number of those who would ultimately be placed before the Selection Committee. No criterion can be fixed about the principle. So I would request my honourable friend not to press the motion because there is no principle involved in it. The only question that he aims at is in regard to the trouble and expense in having such a large number of young men called in for interview. But as has been pointed out by Thakur Giriraj Singh and others, the candidates themselves and their parents are quite eager that they should also get a chance of appearing before the Selection Committee and having a sporting chance. As regards the other point which has been mooted out by the honourable the Leader of the Opposition, I think that he was quite wide of the mark when he said that the Hon'ble Minister should not be empowered to send any applications which he might happen to get to the Head of the Department. I think that would be a principle which no one can justify. Sir, if he is the Head of the Department he has every right as a Minister

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and representative of this Council to send such applications to the Selection Committee. We should see that his rights are secured to him and that they are not belittled or whittled down. I consider that it is essential that we must keep up the dignity of the Minister. If he is to be deprived of the power to send applications to the Selection Committee then I think that this proposition is not a sound or a reasonable proposition, but is a proposition which is likely to lower his dignity as a Minister. I think he should be given every facility of people approaching him and if he thinks that certain deserving applications should be sent to the Selection Committee, he should have that power. I think this practice is a wholesome one on the whole.

The Hon'ble the Minister for Local Self-Government : Sir, the question has been discussed almost threadbare and my task has been considerably lightened. It must be clear to my friend the mover of this motion that the general feeling of the public is that the greater the opportunity be given to the candidates for appearing before the Selection Committee, the better the selection will be, and to that extent will the wishes of the candidates and their parents be met. We examined this question some time back and we did feel that probably it would be wrong to invite a large number of candidates to appear before the Selection Committee because after all the parents have to incur all the expenditure of journey with no satisfaction to the candidates who are not selected. But we have felt that there are very strong feelings that candidates should be allowed to appear before the Selection Committee. They should at least have the satisfaction of appearing before the Selection Committee before they are really discarded. They think that they may have a good luck and come out successful in selection. No one unqualified is allowed to appear before the Selection Committee. Those who are called are fully qualified and fit for appointment.

Now with regard to the question of my friend the Leader of the Opposition, I may tell him that the nominations that I make directly to the Selection Committee are made in addition to the applications which are selected by the Inspector General of Registration. There is no question of weeding out the applications of those who are in every way suitable to be invited before the Selection Committee and who are selected by the Inspector General of Registration. These applications by a definite order of the Minister are placed before the Selection Committee, so that candidates may have an opportunity of trying their luck before the Selection Committee. In view of what has already been said by a very large number of members in this House, I hope my friend the mover of this motion will withdraw his motion.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I have made it very clear with what object I moved this motion; but as I find that my motion has not found favour with honourable members of this House I may just say a few words. They have emphasized that the largest possible number of candidates should be invited before the Selection Committee. In connexion with this I may inform **Thakur Giriraj Singh** that I never knew that candidates

are invited from each and every district for interview. I do not think that people from each and every district are invited. At the same time those candidates who are not selected they get discontented and that discontent cannot be avoided and candidates from each and every district cannot be made sub-registrars. Had that been the case, then certainly there would have been satisfaction and contentment. If the Government stick to that principle perhaps they will have to prescribe that they must have a five-year, a six-year or even an eight-year plan, that during that period candidates from each and every district in the province may be appointed. But that too will not be practicable because they are to select the best available persons. Therefore that question does not arise. But in view of the opposition which my motion has met, I do not want to press it.

The motion was, by leave, withdrawn.

Thakur Giriraj Singh : I beg to move that under sub-head B, District Charges, a reduction of Re.1 be made.

In this connexion I want to bring to the notice of the Government a few points.

The first is that sub-registrars who have recently been appointed have been put in the scale of Rs.60—200, while those who were formerly appointed have a grade of Rs.60—275. The annual increment for the new entrants is Rs.3. I submit that as the salary of a sub-registrar is meagre, he should be allowed an increment of Rs.5 per year.

The second point is that generally a sub-registrar is supplied with a clerk. But there are certain registration offices where sub-registrars have not been given clerks. One of them is the Deogaon registration office in the Azamgarh District where the sub-registrar has not been given a clerk. A few years back there was a clerk there, but as far as I am informed on account of a small number of registration documents the clerk has been transferred from that office to some other office and the sub-registrar has to do the work himself.

The third point is that as the salary of a sub-registrar is very meagre, having regard to their qualifications, I would request the Government that these sub-registrars should, as far as possible, be posted to a registration office with a district or division to which they belong.

The fourth point is about the recruitment of clerks in registration offices. Formerly Hindi and Urdu knowing men were appointed as clerks, but now when we have got fully qualified men, I am of the opinion that those persons, who have passed the High School Examinations, should be given preference over those who have passed only the vernacular examinations.

The last point which I want to bring to the notice of the House is that there are certain registration offices in the province where the work is so light that sub-registrars do nothing for two or three days in a week. I am of opinion that their jurisdiction should be extended to more tahsils as used to be the case formerly. Recently the Government's policy is to keep a registration office at every tahsil. This

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means increased expenditure. So from the point of view of economy and retrenchment, if in any tahsil the registration work is less than 300 per year, in that case that tahsil should be amalgamated with another tahsil.

These are the few points that I wanted to bring to the notice of Government.

Khan Bahadur Maulvi Fasih-ud-din : I want to speak on the last two points which have been raised by the honourable mover. The first is about the appointment of clerks. The appointment of clerks is in the hands of each District Judge and it is he who exercises discretion in the matter. I believe that there is a rule that no man should be appointed as a clerk unless he possesses sufficient educational qualifications and if he does not hold any certificates, then he has to get his exemption from Government before he is appointed. So that point which has been raised by my friend loses its force altogether. Of course I agree that a person who has passed the High School Examination should have preference over a man who has passed the Vernacular Middle Examination but I do not agree with him that the vernacular passed man should be excluded altogether from the appointment of registration clerks. I also find that in certain districts the District Judges appoint the apprentices of the Judge's court, and I think that this practice ought to be discouraged with a strong hand. Those apprentices are meant for posts in the Judge's Courts and not for posts in the Registration Department. There ought to be a separate list of candidates for the post of Registration Clerk, and I think there is one already. The recruitment of clerks, I submit, should be made from that list and that list alone.

As to the last point, namely that the registration offices of two tahsils in which the work of registration is light should be amalgamated, I think that this suggestion is fraught with many practical difficulties. We cannot in the very nature of things amalgamate the work of registration of one tahsil with the work of another tahsil on account of the geographical difficulties and on account of the different nature of the work that is being done in each tahsil. So I think that both these suggestions are not practicable.

The Hon'ble the Minister for Local Self-Government : The first point that has been urged by my honourable friend, the member for Azamgarh, is that the time-scale should be raised, that is to say, instead of the annual increment being Rs.3 it might be Rs.5. The result of this would be that the man will reach the maximum in six years instead of ten, as he does now. The merit about the increment at the rate of Rs.3 per year is that he reaches the maximum in ten years, and therefore there is a regular flow of promotion. There is no blocking at all, and what is more, in these days of financial strigency we cannot think of increasing the pay. We have been thinking of effecting economies in every

direction. We have done so. Nowadays to think of increasing the scale when there is no money available and when there is a very serious deficit in the budget it is impossible to do so, and we cannot take any step which is likely to increase our commitments.

Now, with regard to the Deogaon Sub-Registrar not having a clerk, I do not know how many documents are registered in that office every year. If it is more than 600, the Sub-Registrar can justifiably claim to have a clerk. But if it is less than that, I find that actually the figure is 500—then he cannot claim to have a clerk. He will be registering documents at the rate of two documents a day and certainly the Sub-Registrar who has a light charge can carry on his duties without having a clerk.

Then my friend has drawn my attention to the recruitment to the post of sub-registrar's muharrir. He says that the minimum qualification should be Matric. I regret very much that it is not possible for me to accept his recommendation, because, as has already been pointed out by my friend the Deputy Leader of the Constitutionalist Party, in these days of unemployment it is only fair that some door should remain open for those who have passed vernacular examinations in the rural areas. These posts are in the rural areas and the documents which are registered are usually in vernacular, viz. Hindi or Urdu. Therefore as a matter of fact the knowledge of English is hardly necessary and if at all to a limited extent. Therefore I do hope that my friend will recognize that it would be very unfair if we were to raise the educational qualification to the standard of Matric.

The honourable member has also drawn my attention to the question of abolishing offices where work is very light and only about 300 documents are registered and of amalgamating the work with another office. This is a proposition which I am perfectly willing to consider. In fact that is what is generally being done. If the office is not amalgamated with another office, an *ex officio* man is appointed who carries out this duty. But generally we have been against a tahsildar being appointed for carrying on this work, because the work cannot possibly be efficient and it will be against the interest of the public.

There is one more point, probably the most important. This relates to the transfers of sub-registrars within the division only. I am afraid it is very difficult to fetter the discretion of the Head of the Department to that extent. If the proposal were accepted, many people who would like to enjoy the salubrious climate of the western districts would be precluded from it. Similarly many people in the western districts may like to enjoy the milder climate of the eastern districts and they would be precluded from it. These transfers can only be made on a provincial basis and not a divisional basis.

I think these are all the points which have been raised by my friend. In view of what I have said, I hope he will withdraw his motion.

Khan Bahadur Saiyid Jafer Hosain : Sir, I desire to associate myself with the object which my friend, the mover of this cut, has in view in so far as the question of the inadequacy of the incremental scale is concerned. I also consider that the increments which were introduced for sub registrars about three years back were wholly inadequate and not fair to the members of that service. I consider that this incremental scale is even less than the scale given to clerks in some offices, viz. the divisional and district offices and the offices of the Judges. After all, when they are classed in the category of officers, it is not quite fair on the part of Government to give them such a low and inadequate scale of increments as has been given them for the last so many years. We now find that this line is filled up by efficient, educated and highly respectable men. Bearing these facts in mind, I think the scale which is now in force is unduly low, and it should be raised.

The second point, which was taken up by the honourable mover of the cut, was in respect of the transfer of sub registrars from one division to another division. I am of the same opinion that sub-registrars, as a rule, should not be sent outside their divisions; and it would be in the efficiency of their work too, Sir, if those who live in the western districts are not transferred to the eastern districts. This would also be a good thing, so far as their health is concerned. If you send a man who is a resident of a western district to an eastern district, for instance, if a man from Saharanpur, or Muzaffarnagar, or Moradabad, is sent to Ballia, Ghazipur or Azamgarh, the result will be, in 99 cases out of 100, that he will fail in his health, because of the great difference in the climate of these places. It is not that the prestige of the department will suffer, if you send them from eastern to western districts, but it will lead to inefficient work. In this sense also I consider that transfers within divisions would be quite justified, and that this is a step in the right direction.

Thakur Giriraj Singh : Sir, I am very sorry that the reply of the Hon'ble Minister is not convincing at all. He has not replied to many of the points raised by me—not even the point about transfer. The Hon'ble the Minister has said that those who belong to eastern districts might like to go to western districts. That is not my point. I say that those who are in eastern districts should remain in eastern districts. I know of many cases in which people belonging to Ghazipur and Benares districts have been transferred to Lucknow, and Bara Banki. The real point is that sub-registrars should be kept near their homes, because their salary is very meagre. It is from Rs.60 to Rs.200. This is of course for new entrants. In the case of teachers belonging to District Board Vernacular Schools, they are kept near their homes, because their pay is very small. My submission was quite a different one; and the reply of the Hon'ble Minister was not satisfactory at all. I hope the Hon'ble Minister will at least try once more to see that the grievances of these sub-registrars should be redressed, that is to say they should be allowed to remain within the division.

The Hon'ble the Minister for Local Self-Government : I should like to make it clear to my friend that the proposal that a man

belonging to a particular division should not be transferred to another division is thoroughly impracticable. Because to give effect to this we shall have to examine who is where and who belongs to what place and it would upset all the existing arrangements at once. It is thoroughly impracticable and impossible. If my friend has any particular transfer in mind, I am sure the Inspector General of Registration will be prepared to consider the question sympathetically.

As regards the increment every year in the pay of the Sub-Registrars in the third grade, I have nothing but sympathy for them. Obviously in these days of retrenchment and economy we cannot think of increasing the pay of any class of government servants when we are decreasing expenditure in every direction. It is not possible for me even to hold out any hope for the near future. We are in great financial difficulties and it will be some time before we are likely to balance our budget and find money for various laudable objects which require funds. I hope that the honourable mover will recognize these facts and will see his way to withdraw the motion.

Thakur Giriraj Singh : I beg leave to withdraw the motion.

The motion was, by leave, withdrawn.

Khan Bahadur Saiyid Jafer Hosain : I beg to move that under the entire head, a reduction of Re.1 be made.

My object in moving this cut is to draw the attention of the Hon'ble the Minister for Local Self-Government to the fact that the present practice in respect of those candidates who are called for interview before the Selection Committee is that they are required to furnish a medical certificate. The Inspector General of Registration called no less than 250 candidates for interview some years ago while the Selection Committee finally selected only 8 or 10 out of them. My submission is that this is sheer waste of money which could have been avoided in respect of all those candidates who were not selected for appointment. I therefore submit that they should be called upon to furnish a medical certificate only after they have been finally selected. Possibly it may be argued on behalf of Government that some of the 8 or 10 selected candidates may not be medically fit and in that case more men will have to be selected. This difficulty can be met if three or four additional men are also selected at the same time so that if one or two are found medically unfit, they can be replaced from the three or four of those additional men. If this procedure is adopted, I think a good deal of hardship and suffering to the competing candidates will be avoided. For this reason I hope the Hon'ble the Minister for Local Self-Government will have no hesitation in accepting this suggestion of mine.

Shaikh Muhammad Habib-ullah : I rise to support this suggestion. Even in the Civil Service candidates are medically examined only after the competitive examination and I think it is a great hardship on applicants to submit medical certificates along with their applications. In insisting on these certificates the Hon'ble the Minister is indirectly doing service to the Civil Surgeons. I do not

[Shaikh Muhammad Habib-ullah]

think these certificates are granted free of charge. I therefore think that the point raised by my honourable friend is very reasonable and it should be accepted by Government.

The Hon'ble the Minister for Local Self-Government : Sir, with regard to the point that has been raised by my friend, the member for Moradabad, I must say that I am in sympathy with him to a certain extent. He will recognize that it is not possible for me off-hand to give any undertaking. I am perfectly willing to examine this question very sympathetically, and in view of this assurance, I hope, he will withdraw this motion.

The motion was, by leave, withdrawn.

Mr. Muhammad Rahmat Khan :

مسٹر مہتمم محترم رحمت خان :

Sir,

I beg to move that under the entire head, a reduction of Rs.1 be made.

جناب والا - ہمارے بلڈشہر ضلع میں جو رجسٹریشن آفیس ہیں وہ د: circles میں منقسم ہیں کچھ حصہ میپوٹھ کی ججری سے تعلق رکھتا ہے اور کچھ حصہ علیگڑھ کی ججری سے۔ چنانچہ اُس کے متعلق سال گذشتہ میں میں نے عرض کیا تھا تو آنریبل مونس نے اُس کے لئے کچھ روپیہ منظور کیا تھا کہ بلڈشہر کی ججری سے اُن رجسٹریشن آفیسوں کا تعلق کر دیا جارے جب کہ وہاں پر نابل ججری موجود ہے اور وہ کم اچھے طریقہ سے کہہ سکتے ہیں تو کوئی وجہ نہیں ہے کہ بلڈشہر کے ججری صاحب کے تعلق تمام ضلع کے رجسٹریشن آفیس کا تعلق نہ کیا جاوے چوں کہ اس سے بلڈشہر کی بہت زیادہ تکلیف ہے۔ لہذا میں امید کرتا ہوں کہ اس پر غور فرمایا جاوے گا اور فوراً اُس کے متعلق احکامات جاری کیئے جائیں گے *

The Hon'ble the Minister for Local Self-Government : Sir, I must say that I am in sympathy with what my friend has said, but at present funds are not available. I do hope that it would be possible for me to get some money from the Finance Department and then it may be possible to bring in a supplementary estimate later on. That is all I am in a position to say at present. Unless funds are available it is not possible for me to carry out the wishes of the honourable member, but I can assure him that I shall be very glad indeed to carry out his wishes if funds are available.

The motion was, by leave, withdrawn.

***Mr. C. Y. Chintamani :** Sir, I beg to move that under the entire head a reduction of Rs.10 be made.

Sir, the Hon'ble the Minister in the course of some of his speeches this afternoon mentioned fall of revenue of 2 lakhs and pleaded the present financial situation as the reasons for his refusal to consider certain suggestions made by the honourable members which involved additional expenditure. In this connection I should like to ask him to state definitely and with the authority that attaches to the position

* Speech not revised by the honourable member.

which he occupies whether the Registration Department is treated by the Government as a commercial service. When landlord members of this House ask the Government, as they have repeatedly done, that there should be a reduction of canal rates, the Government have taken the ground that capital expenditure having been incurred on the construction of irrigation works the supply of water should be treated on a commercial footing and the taxpayer should get a return on the money which is spent, and from this point of view this repeated suggestion of landlords has been turned down. Is it the idea of the Hon'ble Minister first to compel people to register documents, to charge them fees therefor and then to make a net revenue for the Government out of that? Is this the proper policy for the Government to follow? I have complained of the administration of justice being treated by the Government in practice as a commercial service. Is registration on the same footing? When the Hon'ble Minister pleads financial difficulty, does he realize that as against a budgeted income of Rs.11,00,000 for 1936-37 the budget expenditure is only Rs.4,06,410? What increased facilities for registration does he propose to provide for the people in return for this large net income? It is obvious that he has no such proposal in his mind, from the replies which he has given to several honourable members who have spoken.

The Unemployment Committee have made certain proposals at page 243 of their Report with regard to the registration of documents and the facilities that should be provided in that behalf. I should like to know from the Hon'ble Minister whether he has seen that passage, whether he has considered it and whether he has any intentions in his mind with regard to that.

But, Sir, there is another point, and at the same time the most important, which I wish to bring up under this head. We have seen during the last few days in the press an announcement that the offices of the Excise Commissioner and the Inspector General of Registration are to be separated, that there is to be a whole-time Inspector General of Registration and that the incumbent to the proposed office has already been selected, in fact, even his portrait has been published on that account. I have made private inquiries from those who are in a position to know whether this is an anticipation of events or is merely an unfounded rumour that has been given publicity, and I have been assured that this is very correct, that it is the intention of the Government to make this change and that the news with regard to the incumbent of that office is equally founded. I understand, Sir, that the Finance Department has not had time, or has not been allowed time, to place this proposal before the Finance Committee before matters reached that stage. I understand that on account of this eleventh-hour hitch there is an inevitable postponement in the execution of the design. I wish to ask the Hon'ble Minister how he can reconcile his untiring plea of financial stringency as an adequate answer to every suggestion of improvement in the Registration Department and of improvement in the condition of the lower paid

[Mr. C. V. Chintamani]

officials of that department with his large proposal of the creation of a new post at the top. I should like to know whether there has been a whole-time Inspector General of Registration in the United Provinces at any time since the creation of these provinces under British rule. I should like to know whether at any time during the several generations the Government have felt any need of a whole-time officer at the head of this department. I should like to know whether any incumbent of this office who held it in connection with the Excise Commissionership or with Deputy Directorship of Land Records has at any time complained to the Government that he was overworked, that he could not attend to the duties of both the offices and that he should be relieved of any of them. If the answer to any of these questions be in the affirmative, it is the duty of the Hon'ble Minister to take the Council into his confidence and place the material in his possession at the disposal of the House to enable it to form an informed and correct judgment. The Government earlier this month induced the Council to vote nearly Rs. 10 lakhs of new taxation on the plea that without it they would not be able to allow certain districts and tahsils to exist as separate entities and without it they would not be able to take any action whatsoever on the recommendations of the Unemployment Committee. The Finance Member gave his word to this Council that the proceeds of the tax would not be absorbed in the general revenues but would be applied to these two specific purposes. But, Sir, the Government having got the Bills safely through, do they propose now to fritter away their resources on miscellaneous objects of this description? If the Hon'ble Minister were to tell us that without touching any part of the proceeds of the new tax he would still be able to create this new post and pay for it, then I would like to know why in that case has he given a uniform negative answer to every proposal, however modest, for the improvement of the lot of sub-registrars and their clerks and such like things. And why in his other departments also he repeats parrot-like "want of funds" when he can find funds for the creation of the new office of the Inspector General of Registration at a very high salary and for the staff for his office, which would cost anything like 15 to 20,000 rupees. Whatever other members of this House may think I am personally of the opinion that to think of such an expenditure at a juncture like the present, in the face of all that every single member of Government has been saying day after day during this month about the acuteness of their financial stringency and in the face of the new taxation which they have got through the House on specific promises made, is a scandal of the first magnitude. I hope that if not the Hon'ble Minister at least other members of Government will have regard and consideration for public decency and put a stop to this proposal at this juncture.

Munshi Amir Hasan Khan : Sir, the learned Leader of the Opposition has conveniently forgotten all the facts that occurred here a week ago. Excise liquor shops have been auctioned and have yielded lakhs of income. In the auction system the Head of the Department

has to keep watch for the good of the public. These sub-registrars who are hundreds in the United Provinces also demand a close watch. There is a lot of extortion by sub-registrars every day. If a man pays Rs. 5 for stamp, he has to pay Rs.10 to the sub-registrar. This should be checked and checked by a person who is exclusively in a position to do so and have full control. The next thing is to watch the auction system. When you have sold every shop you have to keep watch and see that water is not mixed and the health of the public is kept good. One thekadar, Kalwar, controls the whole district. He gives all the shops in the district to the Kalwars, his brotherhood, and question of unemployment comes in. During sale system some 28,000 educated were employed. This is the worst aspect of the auction system, but it has been adopted by the district authorities. Auctions have taken place in every district, in Cawnpore which is my district. So if there is an expenditure of Rs.20,000 by appointing an Inspector General there is also an income of several lakhs by this auction system. Therefore the new post should remain.

The Hon'ble the Minister for Local Self-Government : Sir, my friend the Leader of the Opposition has raised two points. The first point is that why the rates of the registration fees are so high. Honourable members will remember that as far back as 1932 the proposal was put forward before the House that the rates of registration fees should be increased by 25 per cent.

Mr. C. Y. Chintamani : I never raised that point.

The Hon'ble the Minister for Local Self-Government : May I know what was his point, because I have not been able to catch it ?

Mr. C. Y. Chintamani : Never mind. You proceed : I won't tell you anything more.

The Hon'ble the Minister for Local Self-Government : It is clear that the House accepted that there should be an increase of only 12½ per cent. in the registration fees.

Mr. C. Y. Chintamani : I must interrupt the Hon'ble Minister. The House threw out the proposal and the Government in exercise of their administrative function carried it out. The Hon'ble the Finance Member himself admitted that although the House threw out the proposal Government carried it out.

The Hon'ble the Minister for Local Self-Government : Nothing of the kind. I beg to contradict the Leader of the Opposition. The proposal was accepted by the House. What my friend is referring to happened later on when the question arose of continuing these registration fees. We did it by executive order, because under the rules we could do it.

Now, with regard to the question of the appointment of a separate head of the Registration Department, let me inform my friend, the Leader of the Opposition, that we could not combine this post any more with that of the Commissioner of Excise. His

[The Hon'ble the Minister for Local Self-Government.]

duties are expanding and he has very responsible work indeed to do. It is a revenue yielding department and we cannot ignore that fact, and therefore it is quite clear that we must have a man for the Excise Department who will devote his whole time. If we want the maximum amount of revenue and the minimum amount of consumption we must have a whole-time man who will successfully supervise the department. Now, with regard to combining this post with that of the Director of Industries, there too we found that industrial reorganization is going to be done, fresh schemes have got to be evolved and various things have got to be done.

Mr. C. Y. Chintamani : Who suggested it ?

The Hon'ble the Minister for Local Self-Government : The recommendations of various committees, and the recommendations of the Leader of the Opposition himself. He would like everything to be done, but he would do nothing practical himself, to carry them out.

Then there was a suggestion that this post should be combined with that of the Director of Public Health. Obviously I took exception to it in view of what my friend the Leader of the Opposition has often remarked, namely that he does not want the interference of the reserved department with the transferred department. I therefore took objection to it.

The Hon'ble the President : I must take objection now, as it is half past four.

The question is that for Registration a sum of Rs.4,67,410 be granted.

The question was put and agreed to.

(The Council was then adjourned till the following day.)

APPENDIX A

(See page 498 supra)

Statement referred to in the answer to starred question no. 1 for 26th March, 1936

Statement of tour done by the Collector, Etah, since his posting to Etah, on 26th January, 1935

<i>Period of tour</i>	<i>Alone</i>	<i>With S. P.</i>
8th February, 1935 to 1st March, 1935.	22 days	Nil.
Last cold weather from 26th October, 1935 to 17th March, 1936, camping in all 88 days.	40 days.	*48 days *(This includes 7 days at Soron where the Marag Siri fair takes place and where the S. P. and the D. M. always camp together.)

62 days

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Friday, 27th March, 1936

THE Council met at Council House, Lucknow, at 10.30 a.m.
The Hon'ble Sir Sita Ram in the Chair.

PRESENT (91)

The Hon'ble Mr. J. M. Clay.	Rai Govind Chandra.
The Hon'ble Kunwar Sir Mahavej Singh.	Raja Sri Krishna Dutt Dab.
The Hon'ble Nawab Sir Muhammad Yusuf.	Rai Bahadur Babu Jagadeva Roy.
The Hon'ble Sir Jwala P. Srivastava.	Mr. Dahari.
Mr. H. Bomford.	Rai Sahib Babu Adya Prasad.
Mr. J. L. Sathe.	Thakur Giriraj Singh.
Mr. A. B. Reid.	Pandit Prem Ballabh Belwal.
Mr. P. M. Kharegat.	Thakur Jang Bahadur Singh Bisht.
Mr. A. A. Waugh.	Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Mr. Phul Chand Mogha.	Rai Bahadur Lal Sheo Pratap Singh.
Mr. A. C. Turner.	Thakur Muneshwar Bakhsh Singh.
Mr. H. J. Frampton.	Thakur Jandra Bahadur Singh.
Mr. T. J. Egan.	Raja Jaglambika Pratap Narayan Singh.
Mr. Himmat Singh K. Maheshari	Raja Ambikeshwar Pratap Singh.
Khan Bahadur Munshi Mushtaq Ali Khan.	Raja Birendra Bikram Singh.
Mr. Pratap Shankar.	Rai Bahadur Kunwar Surendra Pratap Sahi.
Rai Bahadur Ram Babu Saksena.	Mr. C. Y. Chintamani.
Colonel H. C. Buckley.	Rai Rajeshwar Bali.
Mr. J. H. Ritchie.	Mr. Zahur Ahmad.
Mr. Vishnu Sahay.	Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Lady Kailash Srivastava.	Khan Bahadur Shah Nazar Husain.
Khan Bahadur Maulvi Fasih-ud-din.	Captain Nawab Muhammad Jamshed Ali Khan.
Rai Sahib Babu Rama Charana.	Nawabzada Muhammad Liaquat Ali Khan.
Mr. Perma.	Mr. Muhammad Rahmat Khan.
Rai Bahadur Babu Awadh Bihari Lal.	Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan.
Chaudhri Ram Dayal.	Khan Bahadur Muhammad Hadiyar Khan.
Chaudhri Jagannath.	Munshi Amir Hasan Khan.
Chaudhri Baldeva.	Khan Bahadur Haji M. Nisar-ullah.
Rai Bahadur Sahu Jwala Saran Kothiwala.	Khan Bahadur Shaikh Ghulam Husain.
Mr. Tappu Ram.	Khan Bahadur Hafiz Ghazanfarullah.
Raja Bahadur Kushal Pal Singh.	Khan Bahadur Saiyid Jafar Hosain.
Chaudhri Ram Chandra.	Khan Sahib Shaikh Afzal-ud-din Hyder.
Chaudhri Ghasita.	Khan Bahadur Maulvi Muhammad Fazl-ur Rahman Khan.
Chaudhri Arjuna Singh.	Khan Bahadur Sirdar Muhammad Shakirdad Khan.
Rao Bahadur Thakur Pratap Bhan Singh.	Khan Sahib Muhammad Intiaz Ahmad.
Rao Sahib Thakur Shiva Dhyani Singh.	Shaikh Muhammad Habib-ullah.
Pandit Joti Prasad Upadhyaya.	Mr. L. M. Medley.
Chaudhri Dhrya Singh.	Rai Bahadur Lala Anand Sarup.
Rai Bahadur Kunwar Dhakan Lal.	Chaudhri Muhammad Ali.
Thakur Balwant Singh Gahlot.	Rai Bahadur Lala Prag Narayan.
Rao Bahadur Kunwar Sardar Singh.	Raja Bisheshwar Dayal Seth.
Rai Bahadur Babu Manmohan Sahai.	Raja Jagannath Bakhsh Singh.
Rai Sahib Babu Kamta Nath Saksena.	Rai Bahadur Vikramajit Singh.
Kunwar Jagbhan Singh.	Munshi Gajadhar Prasad.
Rao Narsingh Rao.	
Rai Sahib Ram Adhin.	
Mr. Bhondur Ram.	

MEMBERS SWORN :

1. Colonel H. C. Buckley.
2. Mr. J. H. Ritchie.
3. Mr. T. J. Egan.
4. Mr. Vishnu Sahay.

QUESTIONS AND ANSWERS

STARRED QUESTIONS

*1--5. **Hafiz Muhammad Ibrahim** (*absent*): [Postponed till 28-3-36.]

PROMOTIONS IN CERTAIN JUDGESHIPS

*6. **Hafiz Muhammad Ibrahim** (*absent*): With reference to starred question no. 36, answered on 26th February, 1936, will the Government please state, the name of three judgeships referred to in the answer?

The Hon'ble the Home Member (Kunwar Sir Maharaj Singh): Fyzabad, Gonda and Hardoi.

*7 **Hafiz Muhammad Ibrahim** (*absent*): Will the Government please lay a statement, showing what promotions were given to officials in the judgeship of Hardoi within the last ten years, and how many of them went to those working in the vernacular line?

The Hon'ble the Home Member: A statement* is laid on the honourable member's table. Out of the 128 promotions shown in the statement, 54 went to those working in the vernacular line.

NOMINATION OF SHAMSHAD ALI TO THE MOTOR TRAFFIC COMMITTEE, RAE BARELI

*8. **Rai Bahadur Sahu Jwala Saran Kothiwala** (*absent*): Will the Government be pleased to lay on the table a statement of the number of cars and lorries, which are in the possession and registered in the name of Shamshad Ali, who has been nominated to serve in the Motor Traffic Committee, Rae Bareli?

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf): Saiyid Shamsbad Ali, who is the manager of the Zaidi Motor Works, Rae Bareli, has in his possession 14 buses and one car, out of which two buses are registered in his own name, and the remaining 12 buses and one car are registered in the names of his brothers and employees.

*9. **Rai Bahadur Sahu Jwala Saran Kothiwala** (*absent*): Will the Government further state the number of lorries of Shamsbad Ali which are plying within the district of Rae Bareli?

The Hon'ble the Minister for Local Self-Government: Fourteen.

*10. **Rai Bahadur Sahu Jwala Saran Kothiwala** (*absent*): Since when was no motor tax paid by Shamsbad Ali Motor Company to the Municipal Board, Rae Bareli? How much arrears were realized out of the dues standing and how much amount was written off under the orders of Babu Anrit Rai Sahib, Chairman, Municipal Board, in 1935?

The Hon'ble the Minister for Local Self-Government: Motor vehicles plying for hire within the municipal limits of Rae Bareli were governed by the bye-laws published under Government Notification no. 1497/XXIII—85(27-28), dated the 19th February, 1930, on page 79, Part III of the *United Provinces Government Gazette*, dated the 22nd February, 1930. Under those bye-laws the owners of such

* Not printed.

vehicles were required to take out a licence on payment in advance of the prescribed fees. Shamshad Ali Motor Company were not in arrears with licence fees but were running six lorries without a licence after September, 1935. The cases of breach of bye-laws are still pending.

*11. **Rai Bahadur Sahu Jwala Saran Kothiwala** (*absent*): On what grounds was the member, elected from Rae Bareilly constituency for the United Provinces Council not nominated as a member of the Rae Bareilly Motor Traffic Committee?

The Hon'ble the Minister for Local Self-Government: Under rule 9(1)(iv) of the United Provinces Motor Vehicles Rules, 1935, the member of the United Provinces Legislative Council to be nominated by the Government to serve on the District Traffic Committee, should be resident within the district. As Raja Jagannath Bakhsh Singh fulfilled the condition, Government nominated him as a member of the said Committee.

Rai Bahadur Babu Jagadeva Roy: With regard to question 8, may I know whether the brothers of Shamshad Ali do the business jointly or separately.

The Hon'ble the Minister for Local Self-Government: I am afraid I cannot furnish this information without notice.

Rai Bahadur Babu Jagadeva Roy: As regards question no. 9, may I know if the brothers also are the owners of 14 lorries and buses or if Shamshad Ali alone is the owner of these?

The Hon'ble the Minister for Local Self-Government: These are matters of detail about which I am afraid I cannot furnish detailed information. All that I know is that these belong to Zaidi Motor Works.

Rai Bahadur Babu Jagadeva Roy: As regards question no. 10, how is it that when there are cases of breaches of bye-laws against Shamshad Ali he has been selected as a member of the Motor Traffic Committee?

The Hon'ble the Minister for Local Self-Government: As he was the owner of a large number of motor vehicles and was regarded as a reliable firm he was appointed as a member of the committee. As to the defaults that he may have made, they can be rectified under the various rules.

Rai Bahadur Babu Jagadeva Roy: Does this not bring discredit on the committee?

The Hon'ble the President: That is a matter of opinion.

Rai Bahadur Babu Jagadeva Roy: Why has there been so much delay in the disposal of the cases of breaches of the bye-laws? It has been stated in the answer that the breaches occurred in September 1935, and that the cases are still pending. Pending where—in the courts or in the files of the municipal board?

The Hon'ble the Minister for Local Self-Government: Pending before the municipality, I understand.

SHORT NOTICE STARRED QUESTIONS**NOMINATION OF WOMEN MEMBERS TO THE DISTRICT BOARD
EDUCATION COMMITTEES.**

1. Lady Kailash Srivastava : (a) Will the Government please give the names of the District Education Committees where no women have been accepted?

(b) Is it a fact that in many of these names of qualified women were proposed, still men were selected in their places?

(c) Has the Government given sanction in such cases? Did they make any inquiry before giving sanction to men to represent girls' education if suitable women were available or not?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava) :

(a) Applications were received from Binda, Fildibit, Fatehgarh, Garhwal, Azamgarh, Bipror, Naini Tal, Meerut and Bareilly for sanction to appoint men to represent girls' education.

(b) Yes, in some of them.

(c) Yes, in three cases. Yes.

2. Lady Kailash Srivastava : (a) Has the attention of the Government been drawn to the dissatisfaction that has spread among women for overlooking their claim to represent girls' education in the District Boards?

(b) What measures the Government is prepared to take to rectify the injustice that has been done to women?

The Hon'ble the Minister for Education : (a) No.

(b) No injustice has been done.

Lady Kailash Srivastava : Why did the Government sanction the nomination of men when suitable women were available?

The Hon'ble the Minister for Education : The Boards did not consider them suitable. That is why they did not elect them.

Lady Kailash Srivastava : Miss Sharma, B.A. of Meerut, who has done a lot of good work—why has she not been nominated?

The Hon'ble the Minister for Education : Government cannot nominate any particular woman. Government can only sanction the recommendation of a board. The board did not recommend that lady; that is why the Government were powerless.

Lady Kailash Srivastava : Are not the boards supposed to ask for Government's sanction where women are available and cannot Government nominate them?

The Hon'ble the President : The Government are powerless.

Lady Kailash Srivastava : Is it a fact that from Haldwani Mrs. Ahmad was standing and she was defeated by one vote only?

The Hon'ble the Minister for Education : I am not aware of that fact.

Lady Kailash Srivastava : I understand that under the rules in force one shall be a woman.

The Hon'ble the Minister for Education: That is the rule, but with the sanction of Government the person can be a man.

Lady Kailash Srivastava: Why has this injustice been done to women candidates?

The Hon'ble the Minister for Education: I have already said that no injustice has been done.

Lady Kailash Srivastava: Is it not the business of the Education Minister to find out and take proper action for the removal of this injustice?

The Hon'ble the Minister for Education: We do not recognize that something wrong has been done. There was no suitable woman available from the point of view of the board.

Lady Kailash Srivastava: Is the Government prepared to ask the board to reconsider their decision?

The Hon'ble the Minister for Education: We have refused sanction in several cases. We do not sanction in every case. We judge every case on its merits.

Lady Kailash Srivastava: Is the Government prepared to modify the rules and make it obligatory on the board to take women only so long as one is available?

The Hon'ble the Minister for Education: That is for the Council to do.

Pandit Prem Ballabh Belwal: May I know if the Government has nominated a man on the Education Committee of the Naini Tal District Board for girls?

The Hon'ble the Minister for Education: Government has not nominated any one.

Pandit Prem Ballabh Belwal: May I know whether the Government has sanctioned the recommendation of the district board to nominate a man on the Education Committee?

The Hon'ble the Minister for Education: I do not remember the cases of individual boards here.

Khan Bahadur Saiyid Jafer Hosain: Is the Government prepared to issue a circular reminding district boards of the obligation to elect at least one woman always on the District Board Education Committee?

The Hon'ble the Minister for Education: We have already done that. But there are bound to be cases in which they cannot find suitable women.

Khan Bahadur Saiyid Jafer Hosain: Is the Government prepared to amend the law on that point so as to make it obligatory on every Education Committee to elect at least one woman?

The Hon'ble the Minister for Education: We considered that in connexion with the legislation which was introduced in the Council. We felt that there may be cases in which a woman is not available. Then what is to be done?

Shaikh Muhammad Habib-ullah: Has the Government satisfied itself in every case in which a woman has been nominated to represent girls' education that no woman was available?

The Hon'ble the Minister for Education: No woman who was regarded as suitable.

Shaikh Muhammad Habib-ullah: Has the Government satisfied itself that no woman was suitable?

The Hon'ble the Minister for Education: Yes.

Khan Bahadur Maulvi Fasih-ud-din: What is the test of suitability?

The Hon'ble the Minister for Education: There are a great many tests. I would not go into them here.

Khan Bahadur Maulvi Fasih-ud-din: Did the Government make any inquiries whether any suitable woman was available, in those cases in which a woman was not appointed? How did the Government come to the conclusion that no suitable woman was available?

The Hon'ble the Minister for Education: The boards themselves are the best judges. If they say that they cannot find a suitable woman, Government must accept their decision excepting in cases where Government know it for a fact that a suitable woman is available.

Shaikh Muhammad Habib-ullah: Is the Government aware that there is still a prejudice against women in district boards?

The Hon'ble the Minister for Education: I am not aware of that.

Khan Bahadur Salyid Jafer Hosain: Is the Government prepared to re-examine this question afresh?

The Hon'ble the Minister for Education: We have been examining it and re-examining it every day.

Khan Bahadur Salyid Jafer Hosain: With a view to amend the present law?

The Hon'ble the Minister for Education: In what way?

Khan Bahadur Salyid Jafer Hosain: In order to make it obligatory for district board education committees to have always one woman to represent girls' education.

The Hon'ble the Minister for Education: I have given a reply to that earlier.

Shaikh Muhammad Habib-ullah: What is the experience of this Government as regards the capability of women in general in the local boards?

The Hon'ble the President: This opens up a long question.

Pandit Prem Ballabh Belwal: Is the Government aware that a B.A. passed lady was nominated for the Naini Tal Education Committee, that she was defeated by only one vote and that a recommendation was made to the Government? What steps did the Government take?

The Hon'ble the Minister for Education: B.A. is no test for representing girls' education in the rural areas.

Lady Kailash Srivastava: Will the Government ask the Boards to define the word "suitable"?

The Hon'ble the Minister for Education: I did not quite follow.

Lady Kailash Srivastava: Will the Government ask the Boards to define what they call suitable, what sort of women will be suited for Education Committees of District Boards?

The Hon'ble the Minister for Education: It is very difficult to give the definition of anything in this world. I do not think the boards will find it easy to define the word "suitable".

Lady Kailash Srivastava: Even B.A. passed ladies have been rejected. I should like to be enlightened as to what sort of women are suitable for the Education Committees?

The Hon'ble the President: I think the Education Minister wants an M.Sc. perhaps.

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS
FOR GRANTS—(continued)

GRANT NO. 31. 32—MEDICAL

The Hon'ble the Minister for Local Self-Government: I rise to communicate to the Council the recommendation of His Excellency the Governor that under Grant no. 31, Medical, Head of Account 32—Medical, a sum of Rs.30,14,239 be granted and I move that the said sum be voted.

The financial stringency which has been getting more and more acute during the past has affected the Medical Department very seriously indeed. A stage has been reached where the Medical Department can show no improvement. As a matter of fact it is very difficult to carry on its normal activities efficiently. During the current year beneficent new expenditures that were put into the budget and were granted by the House was resumed by the Government. What is even more, we have had to surrender another Rs.20,000 from the old allotment for the normal budget. The House will see that we have been very unfortunate indeed and it is with great difficulties that we are carrying on our activities to the satisfaction of the public.

Coming to the personnel of the department it is a matter of supreme gratification to me that we have such an eminent and able man as Colonel Buckley as the head of the Medical Department. I am sure under his wise guidance the department will expand in various directions and the efficiency of the department will increase in every way. With regard to the Indian Medical Service men I may inform that two new Indian Medical Service officers have joined the department during the year 1935-36. I may also inform the House that we abolished the civil surgency of Mussoorie but it has been felt that Mussoorie being such an important summer hill station, it is desirable at least during the summer days that a Civil Surgeon must be there to look after the

[The Hon'ble the Minister for Local Self Government:]
 health of the public. Mape Fraser's services have been lent to the Agent to the Governor General in Kohistan for four months in connexion with the Quetta earthquake relief work. I may inform the House that so far as the number of Indian Medical Department officers is concerned, it is declining steadily. At present the number of Indian Medical Department officers is three only, and as it declines, their places will be filled by members of the Provincial Medical Service.

Coming to Medical education, honourable members are aware of the fact that we intended to introduce a five year' course at the Agra Medical College, but due to financial stringency it has been indefinitely postponed.

The special measures that were taken to combat with the cerebro-spinal fever have been continued this year also, and I can say that the number of deaths now is smaller as compared to previous years. A tubercular clinic is going to be established at Allahabad. This item was also voted by the House, but was cut out on account of financial stringency. I am glad that it has now been restored in the ensuing budget. The position of honorary physicians and surgeons remains the same. As regards subsidized dispensaries I should like to inform the House that this scheme is very popular indeed and has proved its utility. Our misfortune is that we have not got larger funds to create more subsidized dispensaries. There are 54 such dispensaries. I hope that funds will be available in the future, and we shall be able to increase their number as far as possible. Coming to medical practitioners in the rural areas, here again I regret very much to find that Rs.600 for medical graduates and Rs.400 for licenseiates have not proved attractive enough for men to settle down in the rural areas. I hope that it will be possible for us to give a larger subsidy to them to induce them to settle down in the rural areas. Coming to hospitals and dispensaries, I have again to repeat the woeful tale. There is no possibility of improvement due to a lack of funds. It is a matter of great pity that we have not been able to provincilize any hospital as a sadar hospital. Coming to Mental hospital, the only thing that has been done is that a block of nine quarters for attendants has been built, and an extra staff has been employed to look after the indigent patients there. There is also one more important thing which I should like to mention. We have felt that the modified scheme for medical aid to women through women in the rural areas has proved to be very popular indeed. It has been launched in 12 districts, but here again the paucity of funds does not permit us to expand our activities. Let us hope that funds will be forthcoming to go ahead with this scheme. The honourable members have been urging that the problem of medical aid in the rural areas should be tackled on a larger scale. Again and again they have come forward with proposals that we must not neglect the rural areas and that we must have definite schemes to serve the rural areas. I assure the House that we have our schemes ready, as I have already indicated some of them just now. The only misfortune is that no funds are available. Let me hope that now the Court Fees Bill and the Stamp Bill have been passed it will

be possible for us to get some money for this purpose. I hope that the honourable members will recognize that much leeway has to be made in the Medical Department. This department has not unfortunately been able to make much headway in recent years. The reason is that most of the money available has been absorbed in automatic increments in some other important departments. I have done my level best to obtain money from the Finance Department. I do recognize that the Finance Department have no funds at their disposal. But I do feel that now that they are in a better position they will be inclined to treat this department more generously. The House will recognize its responsibility to the public. This department serves a very vital need of the public. The needs of the people are expanding while the funds at our command are small indeed. Let me hope that the House will show all the sympathy that this department deserves and will help me to get a substantial amount for expanding the activities of the department and further increasing the efficiency of the same. With these words I commend the motion to the House.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir I beg to move that under sub-head A—Medical establishment—(a) Superintendence—1. Pay of Officers (voted), a reduction of Re.1 be made.

First of all, with your permission, Sir, I welcome Colonel Buckley, an eminent physician and surgeon, as the Inspector General of Civil Hospitals in these provinces. Sir, it is after some time that the Head of this Department is a United Provinces man. There are many advantages in having our own men as the Head of the Department. He knows the problems of these provinces and I hope that he will deal with them better than any foreigner can do. I am sure that he will rise to a higher position just as others have done. Meanwhile let us hope that he will benefit these provinces with his first hand knowledge.

Sir, the aim of the motion which I have moved is to emphasize upon the Finance Department the necessity of providing more money under this head instead of making any proposal for reduction.

The Hon'ble the President : Under the head "Pay of Officers"?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Yes. The Hon'ble the Finance Member in his note of retrenchment said that there was a proposal for retrenchment under this head to the extent of Rs.90,000. I want to know whether in this connexion the Inspector General of Civil Hospitals was consulted or not, and, if he was consulted, whether he agreed to that retrenchment. If he agreed, will he kindly tell the House how it was possible to make any reduction under this head? If he was not consulted, then how the Hon'ble the Finance Member was in a position to say that there was a possibility of reduction under this head to the extent of Rs.90,000? If the honourable members will read the Budget memorandum, they will find that there is already a reduction of Rs.99,000 under this head; and if they would care to read the historical account of provincial finances from 1921-22 to 1936-37, they will find that there has been a continuous

[Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan] reduction in this department. Sometimes Rs.37½ lakhs were budgeted under this head; but now Rs. 33 lakhs are being budgeted. As has been said by the Hon'ble Minister, this department could not make much headway owing to financial stringency; but even then instead of providing more money the Finance Department comes with a proposal of retrenchment under this head, as they suggest that there is a possibility of a reduction of Rs.90,000. If these recommendations are carried out, then I think the department will suffer very badly; and I do not know how things will be managed. It will not be possible to provide medical aid in rural areas particularly. Unfortunately the aid provided at present is very scanty and far from satisfactory.

The Hon'ble the Minister for Local Self-Government: My friend the mover of the cut has made two inquiries. The first inquiry is whether the Inspector General of Civil Hospitals has undertaken any research work in connexion with meningitis cases.

The Hon'ble the President: He has not made that inquiry today.

The Hon'ble the Minister for Local Self-Government: The next inquiry that he has made is as to whether the Inspector General was consulted with regard to the cut of Rs.90,000. I may inform him that this was independently done by the Finance Department, because of the financial stringency, and that the Head of the Department was not consulted in this matter at all. This has been done on a definite basis in the Finance Department; and all the departments have been called upon to surrender a certain amount of money. There is no question of discretion at all there and it had to be done in view of the great financial stringency in the province, which has a deficit which might go up to 80 lakhs. This is the position.

Khan Bahadur Maulvi Fasih-ud-din: I am rather surprised to hear from the Hon'ble Minister in charge of the Medical Department that neither the Hon'ble Minister nor the Inspector General of Civil Hospitals has been consulted by the Finance Department in connexion with the reduction which they have made in this budget of the Medical Department.

The Hon'ble the President: Have they made this reduction or only proposed it?

Khan Bahadur Maulvi Fasih-ud-din: They have made a reduction of Rs.90,000. In last year's budget the provision was 31 lakhs and odd while this year it is only 30 lakhs and odd. Sir, I think that it is a matter of great importance and great concern to all of us that the Medical Department should be treated with such scant courtesy by the Finance Department. We have got only a pittance of 30 lakhs for this department.

The Hon'ble the President: May I just point out one thing? The object of the mover was to find out how far the Inspector General of Civil Hospitals was responsible for the proposed reduction in this department. That inquiry has been answered. As to whether the

Khan Bahadur Maulvi Fasih-ud-din : Very well. The procedure that has been followed by the Finance Department is novel and surprising, and I think it is up to this honourable House to pass this cut proposed by my friend as a vote of censure on the Finance Department.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: I am glad to find that the Inspector General of Civil Hospitals did not suggest any economy under this head, but there is one thing which I want to know further from the Hon'ble Minister. The House has already expressed its views fully on the note of retrenchment that was placed before the House by Government and even now the House has shown that it is totally against any reduction in this department. In view of this may I know whether the proposed reduction will still be made in spite of the fresh taxation that has been sanctioned by the Council and whether that reduction will not be given up?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Yes, to the present budget. The words are “That has been provisionally distributed between the various departments as follows : :

The Hon'ble the President : Will the honourable member read further. Eight lakhs are to be given out of the transferred departments. There is, however, a further proposal that if the auction of ganja and charas shops is sanctioned and brought into effect, then this retrenchment will not be carried out.

The Hon'ble the Minister for Local Self-Government: My friend has inquired whether the cuts that have been made will be restored in view firstly of the passing of the two taxation Bills and secondly of the

[The Hon'ble the Minister for Local Self-Government:] possibility of use in the revenue of Excise. The position is that if the excess in Excise revenue amounts to Rs.8 lakhs, as is anticipated, all these cuts will be restored. It is as clear as anything.

The Hon'ble the President: Have these cuts been incorporated in these proposals?

Mr. J. L. Sathe: No, Sir, they have not been incorporated.

The Hon'ble the President: Then that does not arise out of the Budget before us.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I beg to move a token reduction of Re.1 under sub-head Establishment.

Sir, in connexion with this motion of mine I have got to discuss three points. The first is that I find that some of the Assistant Surgeons, if not all, leave the hospital in the morning for the sake of their private practice. I think that procedure ought to be put down with a strong hand as hundreds of poor patients who go to the hospital have to wait very long. If the Assistant Surgeons have to carry on their private practice they can do so in the afternoon and not in the morning, unless there is a very urgent case which cannot be postponed. In such a case of course there is some excuse for the Assistant Surgeons to go and see the patients outside the hospitals.

The other point that I want to bring out is that some of the Civil Surgeons as well the Assistant Surgeons think that it is not their duty to take up the treatment of all the private patients when they stand in need of their treatment. They simply think that they are paid by the Government for doing the hospital work and it is not incumbent on them to look to private cases. It is my personal experience that some of the patients stood very much in need of the help of the Civil Surgeon and the assistant surgeon and they refused to go because they were engaged otherwise, and the result was that the patients could not get help of any other private practitioner worth the name and some of the patients died. It should be made clear by the Department that they are not paid only for the hospital work but in places in which private medical aid is not available it is their bounden and moral duty to go and attend to private patients. Sir, I have received a series of letters about a certain case which is very significant in connexion with the suggestion that I am making. There was a young man of 22 years who got an attack of meningitis at Pilibhit. He sent for the Assistant Surgeon on 6th March, but the Assistant Surgeon came to see him on the 7th March, and then told him that it was a case of meningitis and that he would bring his instruments and give him an injection. He did not go on the 7th and on the 8th the patient sent for him again. The doctor said that he was busy with some other work and would come in the evening. But he did not come even on the 8th, and on the morning of the 9th he came and said that unfortunately he had not got sufficient apparatus and the medicine for injection, and then the father of the patient sent a man to Bareilly to fetch the medicine. When the

medicine arrived at 2 o'clock even then he said he would come in the evening. In the meantime the patient died at about 5 in the evening. These are the letters that I have received about this matter and I think that the gentlemen who have sent me the letters are very truthful men. This is one of the most typical cases of the kind. There is another case when a relative of mine fell ill about three years ago. The doctor who was at a mela refused to come and see him and that relation of mine died subsequently. Sir, this point should be made very clear, whether the medical officers attached to hospitals are bound or not bound to attend to private cases when they are sent for. The idea that they are not paid for attending private cases always ought to be removed, especially in connexion with serious cases.

The third point which I want to bring out is this that although I am one of those who are very much interested in the welfare and the promotion of the interests of the Provincial Services, some of members of the Provincial services are as skilful doctors as the I. M. S. doctors and some of them are even superior to the I. M. S. men, but as a rule they have not the opportunity of improving their knowledge of medicine. A patient does not care whether a doctor is an I. M. S. or a P. M. S., he cares for his own health and he chooses the best doctor available. Situated as we are, these P. M. S. officers have not got any means of improving their knowledge and keeping it up to date. For that reason I propose that both the Assistant Surgeons and Civil Surgeons of the P. M. S. should be allowed scholarships for going to Germany, England and other such places in order to improve their knowledge of medicine and medical science and to bring it up to date. If the Government are at all interested in promoting the quality of the members of the Provincial Services then the Government ought to set apart a certain amount of money for their scholarships and for their travelling expenses to European countries in order to enable them to bring their knowledge up to date.

The Hon'ble the Minister for Local Self-Government: Sir, may I put one question to my friend? I should like to know whether he wants that they should attend to all urgent cases or does he want that they should not at all do so?

Khan Bahadur Maulvi Fasih-ud-din: I am sorry I did not make myself very intelligible to the Hon'ble Minister. I want that there should be orders from Government that they must attend to all urgent private cases, and they should not think that it is not their duty to attend to private cases. They should place this duty of theirs before their convenience.

The Hon'ble the Minister for Local Self-Government: The honourable member must be aware that there is a definite order that during hospital hours doctors should not go away to attend private cases. But there cannot be any hard and fast rule and if there is a very serious case and the Civil Surgeon or the Assistant Civil Surgeon attends to it, I am sure Government will not be inclined to take a serious view of the thing. But I hope generally the honourable mover will agree

[The Hon'ble the Minister for Local Self Government] that it is in the interests of the general public that doctors must remain in the hospital during hospital hours and attend to the patients there. If they are encouraged to go to see private patients during these hours then their normal duties cannot be performed to the public and surely it will not be in the interests of the public to relax the rule generally. But I do agree with my friend that in very urgent cases if the doctor has to go to attend a patient, he may do so and no objection should be taken by the Government.

Now with regard to the question of giving scholarships to these permanent P.M.S. men who are officiating as Civil Surgeons the honourable member will recognize that it will not be possible to embark on any such scheme because as many as really 30 P.M.S. men are now officiating at one place or the other as Civil Surgeons. It means a very huge expenditure will be required. Men who have spent a very long time in officiating as Civil Surgeon and who are just about to retire to call upon them to qualify themselves more highly is not a very practical proposition and certainly the expenditure will be very heavy. I do hope that my friend both from the financial point of view and also from the point of view that it is an impracticable proposition, will see his way to withdraw the motion.

Khan Bahadur Saiyid Jafer Hosein: Sir, the chief criticism which my honourable friend, the mover of this cut motion, has raised during his speech this morning was an incident which occurred at Pilibhit, a very serious case indeed—a case which the Government should inquire into at the earliest possible moment. He has given an instance in which, to say the least of it, a callous disregard of human life was manifested and as such it requires a very strong action on the part of the Government and if the facts, as alleged by my honourable friend are true, in that case serious steps should be taken against that officer. As has been pointed out the patient who had an attack of Meningitis was, in spite of urgent summonses for medical aid and visit, not attended for three days with the result that the man died without receiving any competent medical aid whatsoever. Sir, I do not think the action of that particular medical officer can be justified on any ground whatsoever. It was a conduct which was indefensible and showed a completely callous attitude towards human suffering.

As regards the other point which my honourable friend has raised, namely, that in serious cases they should be allowed to attend to private patients, I think the rule is already there that if there are urgent cases then the medical officer can leave the hospital to attend to private cases, but I consider that it is the main duty of both the medical officers, namely the Civil Surgeon and the Assistant Surgeon, to remain in the hospital in the mornings to look after the patients and to give all possible medical aid to them. We have had many complaints regarding the inattention towards patients who visit the dispensaries and the hospitals and it is a complaint which has become almost chronic and to which no attention has so far been paid. I think this part of the question also requires serious consideration of my honourable friend, the Inspector General of Hospitals.

Shaikh Muhammad Habib-ullah: Sir, the Hon'ble Minister has said that there is already a rule of Government laying down that ordinarily the time allotted for attendance at the hospital should not be used for private practice. I think that is quite right, and we cannot rigidly bind down any medical man not to leave a certain place at a certain hour, because there may be exceptional occasions when he may have to go. Now, Sir, this case of Pilibhit, coming as it does from a most reliable source, is a most striking one. After all, in the first place it is a case in which the doctor was asked as a practitioner. It was not a case of free attendance, it was a case in which the doctor was entitled to get his fee. I know from experience that when a doctor is called upon to attend a case for which special apparatus or serum is required which he has not got, he tries to avoid telling the patient that he is unable to attend the case for want of the particular apparatus or medicine required which fact is concealed from the patient. That is the only explanation that I can give in this case. It is impossible that a doctor who was called three times during three days and who should have got his fees should decline to attend. As regards the third point about scholarships, I do not think any Government scholarships are needed in a case like this because men in service can take study leave and go to any European country for extra qualification. I have had to deal with education in the University both in the Medical Department and other departments. My own experience is that those young men who are at all anxious to advance their academic knowledge or to do research in science generally do so. If I am not mistaken, I believe there are some such rules under which study leave can be granted even in Government service. We have got a set of rules in the University.

The Hon'ble the Minister for Local Self-Government: My friend the member for Moradabad has brought to the notice of Government a case from Pilibhit.

Khan Bahadur Saiyid Jafer Hosein: My friend the mover mentioned that case and I simply asked the Government to take steps to conduct an enquiry into that case.

The Hon'ble the Minister for Local Self-Government: Government is not aware of this case. If my friend will furnish details I shall be very glad to look into the matter. But without definite facts it is obvious that we can do nothing. Government is not at all aware that any such thing has happened.

With regard to the question of scholarships, I have already dealt with it. As has been pointed out by my friend the member for Sitapur. scholarships are hardly necessary in these days of financial stringency. If a man wants to improve his knowledge and to attain proficiency he can always take study leave. In these days of paucity of funds it is difficult to entertain a proposal like this.

In view of what I have said I hope my friend the mover will withdraw the motion.

Khan Bahadur Maulvi Fasih-ud-din: I am thankful to the Hon'ble Minister for the sympathetic reply that he has given. I just want to bring out, . . .

The Hon'ble the President: I would request the honourable member kindly to raise his voice.

Khan Bahadur Maulvi Fasih-ud-din: I would just like to make one or two remarks in this connexion. The first is this. I know there is a rule forbidding Assistant Surgeons to leave hospital in the mornings unless there is a very urgent private case. But, Sir, without unpugning the conduct of the generality of Assistant Surgeons I must submit for the information of the Hon'ble Minister that some of the Assistant Surgeons break that rule and seem to treat it as a rule which is to be honoured more in its breach than in its observance. For that reason strict orders are needed in a matter of this kind and the attention of Assistant Surgeons should be invited to the necessity of their observing this rule strictly.

As to the point which I had raised about scholarships for Civil Surgeons and Assistant Surgeons I never meant that old people who have no energy left in them should be given these scholarships. There are some P. M. S. Civil Surgeons who are young and energetic enough to go to foreign countries and improve their knowledge. There are a large number of Assistant Surgeons who would like to avail themselves of the opportunity of getting scholarships in order to improve their knowledge of medicine. The Education Department gives foreign scholarships to its teachers for improving their knowledge, and there is absolutely no reason why the Medical Department should not follow the same procedure. As to the Pilibhit case I am glad that the Hon'ble Minister says that he will take action if he is supplied with details. I have got several letters on this subject from different honourable members and I will certainly be glad to send him those letters. I hope that he will take action on them.

With these remarks I beg to withdraw my motion.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din: I beg to move that under sub-head A—Medical establishment—(b). District Medical Officers—4. Pay of officers—Other medical officers, a reduction of Rs.1 be made.

Sir, my object is simply that there is a provision of Rs.3,000 under this head, the number of establishment is not given in the budget and I want to know what this sum is meant for?

The Hon'ble the President: If the honourable member will look at page 199, he will find that the number given there is one.

Khan Bahadur Maulvi Fasih-ud-din: My inquiry is what is this sum meant for?

The Hon'ble the President: I informed the honourable member that one was mentioned there.

Khan Bahadur Maulvi Fasih-ud-din: I am sorry for the mistake. I withdraw the motion.

The motion was, by leave, withdrawn.

***Mr. C. Y. Chintamani:** I beg to move that under sub-head A—Medical establishment—(b) District Medical Officers—1. Pay of officers, a reduction of Rs.10 be made.

In making this motion I have a major and a minor object in view. The minor object is to call attention to page 129 of the budget. There it is pointed out that the post of Assistant Civil Surgeon, Allahabad, be abolished. I should like to know what are the present duties of this Assistant Civil Surgeon, why it is proposed to abolish this post, and how after the abolition it is proposed that the duties of the officer who is brought under reduction are to be performed.

My major object is to draw attention to the relative position of the Indian Medical Service and the United Provinces Medical Service in the organization of the Medical Department in this province. This, however, is a hardy annual. We have stated times without number that we object to the position of privilege which is accorded to the Indian Medical Service. In the first place it is not a Civil Medical Service, it is mainly a Military Medical Service whose officers are drafted to civil administration in order to suit the convenience of the Army Department of the Government of India. There are better methods suggested repeatedly by unofficial Indian opinion of creating this War Reserve without overburdening civil medical administration with such a large number of military men. Incidentally, the very great drawback of the importation of military medical officers into civil administration is that the Local Government have not over them, and cannot exercise, that amount of control which they themselves, this Council and the public would wish. I protest against the continued existence of the Indian Medical Service. About 11 years ago, Sir, I had occasion to meet and to be introduced to the present Inspector General of Civil Hospitals, who was then Civil Surgeon at Allahabad. He dragged me into a discussion of the Indian Medical Service and asked me what was my objection. I said in reply that my objection was their existence in the civil administration. He asked whether I wanted to abolish him. I said not him as Colonel Buckley but certainly him as an officer of the Military Medical Service drafted into civil administration. My position still is the same. There are many officers of the Service who are very able and very esteemable men; many officers of that Service who have rendered great service to the cause of medical progress in India. But our objection is to the principle and system. The principle is inherently unsound; the system is very vicious. It is owing to this system that the Local Government have so little control over the appointment of officers who function as Inspector General of Civil Hospitals. They have to accept any officer whom the Government of India send. They have to part with officers of tried ability, officers trusted and esteemed by the people who when they have their turn of promotion are sent away by the Government of India to other provinces. And the Local Government have to accept officers unknown to them, whether they will or not. Take the case of the present incumbent himself of the office of Inspector General. He served all his life in these provinces. He served at Allahabad, at Cawnpore, at Lucknow, but he was sent away to Bihar, and a gentleman from

* The honourable member has not revised his speech

[Mr. C. V. Chatterjee.]

Bengal was sent here. When that gentleman went away, he was brought back from Bihar to the United Provinces. The experience which he acquired here was first lost to us and then the experience he gained in Bihar has since been lost to them. In the case of District Medical Officers, the Local Government labour under the disability of having to act under the orders of the Secretary of State, to appoint a stated number of Indian Medical Service Officers as Civil Surgeons, though there are some Provincial Service Medical Officers equally competent, equally satisfactory in every respect but they have no power to make these appointments unless after the requirements of the Secretary of State have been fully met. The Local Government have no power to post Civil Surgeons to certain districts at their discretion. They may think a particular Indian Officer to be the best suited to be the Civil Surgeon of a district. But a glance at the Civil List will show that they are bound under orders of superior authority to post European Officers to particular districts as Civil Surgeons. All this is highly objectionable. It might have been thought that when the present system of administration came into vogue in 1921 there would be a relaxation of these rigid conditions imposed by the Secretary of State. There was none. It might have been thought that the protest made by the Head of the Government of this Province as long ago as 1907 before the Royal Commission on Decentralization would at least bear fruit after the lapse of a generation. It has not borne fruit. It might have been thought that on the eve of the introduction of what is boomed as Provincial autonomy which is to come into being next year the conditions would be relaxed and Ministers here would be given more power to order their own arrangements with regard to medical administration in districts. They may have that power but only where Indian Medical Service interests are not involved. Here, Sir, not a single one of our protests is a protest against the Hon'ble Minister individually or the local Government collectively. They are the victims of orders of superior authority just as much as we are victims. The only object of the repetition of this motion and these arguments year by year is to keep the question alive, not to give rest to the Government until they mend matters as we wish them to be mended and to register an annual protest as a part of the record of our Council proceedings. The Minister every year gave the reply that he could not do anything in the matter a perfectly truthful reply and I daresay he will repeat that reply this year also. So far he has not set himself in antagonism with the non-official element in the Council by making a vain effort at defence of the indefensible. I trust that he will not make a new departure this year but will content himself with a repetition of what he used to say in former years that he had no voice in the matter and that he is the victim of higher authority as much as we are. If that reply is given by him, I dare say the Council will note it and will pass this motion as a protest not against him in any sense of the term but against the Secretary of State's action.

With regard to the minor point I have raised, viz., the position of the Assistant Civil Surgeon of Allahabad, I hope I shall have a satisfactory reply.

Shaikh Muhammad Habib-ullah : I fully endorse the opinion of my friend, the honourable the Leader of the Opposition, if for nothing else, specially for the purpose of protest. We must go on repeating what has been said over and over again every year. The system prevailing as regards the recruitment of men for civil medical work from the army is not very desirable. Further it is not only that but medical is the only department in which the colour question is being used by Government openly. This is the most objectionable feature of this system. There are Imperial service in the Police Department, in the Forest Department as well as in other departments, but in no department is such a rule that a man of a certain nationality only is allowed to be posted to a certain number of districts in the province. As has been said by the Leader of the Opposition that we are helpless, so we are, but I think we should not relax the criticism on that score on the ground that we are helpless. Helpless we are but we are not helpless in levelling our criticism against such a pernicious system as exists in the selection of districts and posting of the European members of the Indian Medical Service. I have got a great respect for members of this service. I have got some of my best friends among the Indian Medical Service officers, European as well as Indian. But it is not against my friends or against any individuals that I level this criticism. I make this criticism in defence of the system which is desirable and as a protest against that which is most objectionable.

Munshi Amir Hasan Khan : This discussion involves a question of principle. It is a pity that opposition sometimes pleads efficiency and sometimes race prejudice. My point is that everything in the sphere of science that we have borrowed during the last century has been from foreign countries, specially Europe and America, and even if we have made some development ourselves, we have not attained that perfection when we could dispense with the help of foreigners. This is a branch of knowledge in which a good deal of research work is essential and which is efficiently done in Europe. So far no research work worth the name has been done in our country. The improvement that has been effected in blood-testing, serum, and injections has all been done in foreign countries. It is therefore necessary, if we wish to make any improvement in the allopathic system of treatment, that we should requisition experts who might help in the diagnosis of new diseases and benefit our country without incurring tremendous expenses. There is a pressing need for great development in the Unani and Ayurvedic systems of treatment also. As to other observations, I agree with my honourable friend, the Leader of the Opposition.

Khan Bahadur Maulvi Fasih-ud-din : I have listened with rapt attention the speech of my honourable friend, Mr. Chintamani. I do agree with him when he says that the system by which the Minister has no control over the appointments of medical officers is a vicious system. The principle which he has enunciated is perfectly correct so far as it goes, but, Sir, as has been stated by my friend, Shaikh Habib-ullah Sahib, we should not lose sight of the fact that the Imperial

[Khan Bahadur Mauly Fasih-ud-din]

services exist in many other departments such as Forests, and that it is not up to us to altogether remove this service from the cadre of the Medical Department. Sir, as has been stated by my friend, Mr. Chintamani, the Indian Medical Service officers have done very valuable work in the past in order to uplift the medical department of these provinces. It is my own personal experience that they have treated some cases in a marvellous manner, which no other class of medical officers could possibly treat. There have been men, and there are men still in the Indian Medical Service cadre, whose names will have to be written in letters of gold in the medical history of these provinces. I agree that the system as it happens to exist is not a very desirable one, but for that reason we cannot possibly do away with medical officers who have learnt their art in foreign countries and who are in touch with the improvements, marvellous improvements, that are so rapidly going on in those countries at the present time. The patient, as I said in my former speech, does not look to the class of service to which a doctor happens to belong but to the skill which he happens to possess. For that reason so far as the viewpoint of the patient is concerned it is immaterial whether he is treated by an Indian Medical Service officer, or a Provincial Medical Service officer, so long as that officer possesses the necessary skill for bringing about his recovery. The question is a very difficult one, and I think that if we were to abolish the Indian Medical Service altogether we would have to make a very satisfactory provision for sending our Provincial Medical Service officers to European countries and also to America, in order to get full knowledge of the improvements which are being made day by day in medical science and not to confine their activities for this purpose in India which is rather a very unsuitable place for learning the medical science. If arrangements of that kind are made, then the time will come when we will be in a position to altogether dispense with the services of the Indian Medical Service officers. But it is not up to us under the present circumstances to come forward and say that we want to abolish the whole system without making any arrangements for the Provincial Medical Service officers to gain the same level of the standard of efficiency as some of the Indian Medical Service officers have gained and as they are likely to gain in the future on account of the training which they receive in foreign countries.

The Hon'ble the Minister for Local Self-Government: Sir, I am very grateful to my friend, the Leader of the Opposition, that he has put the case so fairly and squarely. He has made it perfectly clear that neither the Minister nor the Government is responsible for this state of conditions which are prevailing in connexion with the recruitment of Indian Medical Service officers. In fact he has raised the voice on behalf of the Government when he says that it has undoubtedly led to great inconvenience and embarrassment to the local Government when the question of the transfer of an officer from one province to another is taken up by the Government of India in connexion with the appointment to the post of Inspector General of Civil Hospitals. This question arose in connexion with no other person than Colonel Buckley

himself. He belonged to these provinces and we wanted to retain him here. We could not do so, as it is for the Government of India to choose the man and issue orders as to who should go and where. I do not say that the Government of India should not exercise the powers which they possess in an unfettered manner, but I do say that in exceptional cases it has undoubtedly led to great embarrassment. However, all I can say with regard to this question is that I should not be accused that I readily accepted the position, and that as the Government of India's discretion is unfettered therefore the convenience of the local Government should not be taken into consideration. I may at once say that, as usual, the proceedings of the Council will be forwarded to the Government of India; and I undertake to do so.

With regard to the question of the abolition of the post of the Provincial Medical Service man at Allahabad, I may point out to him that the work at Allahabad was light, and the necessity of giving a Personal Assistant to the Inspector General was great indeed. It was felt that the Inspector General was tied down too much to desk work, and that he could impart knowledge and experience to those who can receive such knowledge in various parts of the province. He could not do his inspection work efficiently, and could not apply his mind to larger problems of the administration of the department, and to the various schemes with which he should go ahead. Therefore, the honourable member will recognize that there was a necessity for a Personal Assistant, who should be with the Inspector General to look after the routine work, which is very heavy indeed. This item has already been passed by the House, and a man has been appointed. Now, my friend will recognize that under these pressing circumstances it was highly desirable to create the post of Personal Assistant. The work which used to be done by a Provincial Medical Service officer will now be done by another Provincial Medical Service officer in the Colvin Hospital at Allahabad. In no way the interests of those whose interest was meant to be served by that officer will be affected. In view of what I have said, I hope that the honourable member will feel satisfied.

As regards the motion itself, all I am in a position to say is this that the state of affairs that is prevailing is such over which I have no control. The whole system of recruitment is controlled by the Secretary of State, and the transfer of the Inspector General of Civil Hospitals is controlled by the Government of India. I have no voice in the matter. I repeat again that I shall be too glad to forward the proceedings of this House to the Government of India.

***Mr. C. Y. Chintamani :** Sir, I have nothing to add to what I have said. So far as the main object of the motion, namely the relative position of the Indian Medical Service and Provincial Medical Service officers, is concerned, the Hon'ble the Minister has made a statement which I expected him to make in accordance with precedent that he can do no more than to undertake to forward a copy of the proceedings of the Council to higher authorities. But, Sir, when I come to the

* The honourable member has not revised his speech.

[Mr. C. Y. Chintamani]

second and minor object of the motion, namely the abolition of the post of Assistant to the Civil Surgeon at Allahabad, I do not know whether the Hon'ble the Minister has given me an answer. I have not said a word about the position of the Personal Assistant to the Inspector General of Civil Hospitals, and therefore all that he has said on that point may be passed over. He has not told me what I wanted to know, namely why the post of the Assistant to the Civil Surgeon has been abolished, what are the duties which this officer has been discharging and which it is proposed that he will discharge in future at the Manohar Das Eye Hospital. He has said that he would do some of the work, or all the work, of the officer who has been brought under reduction. Now, when the Assistant Surgeon in charge of the Manohar Das Eye Hospital is appointed, because he is a specialist in the treatment of eye diseases, how is it that he can be expected to perform those duties of an Assistant Surgeon whose qualifications must be more general than particular. On this point I pause for a specific reply from the Hon'ble the Minister.

The Hon'ble the Minister for Local Self-Government: I should like to point out to my friend that he used to do medico-legal work and also to attend to the men drawing a pay less than Rs.300 per mensem. These are the duties that he performed and now they will be performed by the Provincial Medical Service officer who is in charge of the Colvin Hospital. The work was very light and we thought that that was the only post which we could abolish and transfer the work safely to the Provincial Medical Service officer and at the same time allow a Personal Assistant to the Inspector General of Civil Hospitals.

Mr. C. Y. Chintamani: May I know if the Assistant Surgeon in charge of the Colvin Hospital will continue to exist?

The Hon'ble the Minister for Local Self-Government: Yes.

Mr. C. Y. Chintamani: Have there been two officers until now?

The Hon'ble the Minister for Local Self-Government: There is one officer at the Civil Hospital and another at the Colvin Hospital. There are two officers.

Mr. C. Y. Chintamani: Is it the one at the Civil Hospital who is brought under reduction?

The Hon'ble the Minister for Local Self-Government: No. He is really the man who used to do medico-legal work and also to attend to those who carried a pay less than Rs.300. All this work was very light and therefore this post could be abolished easily and his work transferred to the Provincial Medical Service Officer in charge of the Colvin Hospital. As a matter of fact this is an economy measure. He was not in charge of either of these two dispensaries but was attached to the Civil Surgeon for doing special work.

Mr. C. Y. Chintamani: Is some officer attached to the Civil Surgeon who is to be abolished and not the Officer in charge of the Colvin Hospital?

The Hon'ble the Minister for Local Self-Government : Yes.

Mr. C. Y. Chintamani : The issue in this motion is to protest against reservation of civil surgeoncies at certain places for European Indian Medical Service Officers.

The Hon'ble the President : The honourable mover has already enunciated the issue before the House. With that issue before the House the question is that under District Medical Officers a reduction of Rs.10 be made.

The question was put and agreed to.

Thakur Jang Bahadur Singh Bisht : I beg to move that under sub-head A—Medical establishment—(b) District Medical Officers, a reduction of Re.1 be made.

Sir, I have brought this cut in order to express dissatisfaction with the procedure of leaving districts without civil surgeons. It is not only inconvenient to the people but it also handicaps the work connected with district boards, and the district as a whole. I have found that at Almora the Civil Surgeon has not been posted for about over two years, and it was with great difficulty last year that the Hon'ble the Minister wired for one and sent him there when I raised the question on the floor of this House. I do not know whether civil surgeons are posted by patronage or on what principle. I submit it is no use to have a post of a civil surgeon and leave it unfilled and allow the assistant surgeon to continue as civil surgeon. I cannot understand why every district should not have a civil surgeon. Though I am only repeating what I said last year this time, I hope the Hon'ble the Minister will take serious notice of the fact and will not let this state of affairs continue.

The Hon'ble the Minister for Local Self-Government : Only recently a civil surgeon has been posted to Almora and I assure my friend that by the time he returns home he will find that the Civil Surgeon is there. When the complaint was made on the last occasion by my friend a civil surgeon was sent to Almora in time. Transfers have occasionally to be made : it cannot be helped ; but if my friend means that a man should remain permanently at one place and should not be moved oftener, it is a different matter altogether. We do not make these transfers in a hurry unless we are really compelled to. In fact we are saving money on that account.

In view of the fact that a civil surgeon is now being posted to Almora he has every reason to feel satisfied and I hope he will withdraw his motion.

Thakur Jang Bahadur Singh Bisht : Sir, I am not very much interested or in love with civil surgeons, but what I mean to say is that it is not very satisfactory to send a man to a place and then transfer him after a month or so and not replace him. I may inform the Hon'ble the Minister, who does not seem to be in possession of full information, that the post in Almora is a permanent one and an Indian Medical Service officer used to fill it till recent years. Yes, I did find a Civil

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Surgeon at Almora when I returned last year, but he vanished again. I hope that this will not repeat itself. I have no objection to withdraw the motion, and beg leave to withdraw it.

The motion was, by leave, withdrawn.

*** Mr. C. Y. Chintamani:** Sir, I beg to move that under sub-head A—Medical establishment (b) District Medical Officers, a reduction of Rs.10 be made.

The object of this motion, Sir, is to invite the attention of the Hon'ble the Minister to a very important criticism and to the recommendation of the Sapru Committee on Unemployment. If the Hon'ble the Minister will turn to page 55 of the Report, paragraph 117, he will find a criticism of the present system of the appointment of a single medical officer in charge of the principal hospital of a district from a most competent private medical practitioner Rai Bahadur Dr. R. N. Banerji. I cannot do better than to read that passage in order to inform honourable members of the nature of the criticism as well as of the recommendation that has been made. Dr. R. N. Banerji, supported by his colleagues—they were Major D. R. Ranjit Singh, Dr. Jairaj Behari and Mr. S. N. Basu, —said—"The modern system of medicine requires specialization and I submit that if this present medical administration which has become very old and antiquated is modernized and if we are allowed to practise the profession as it is done in the West and the whole of the civilized world and do it by specialists the present system will have simply to be broken. In Mirzapur, Fatehpur, or any second class or third class district there is a civil surgeon . . . and there is an assistant surgeon who is called a medical officer. They are controlled by the Government. They are expected to be masters of everything in medical science. If that system is broken and modernized and instead of paying Rs.1,000 to the civil surgeon we employed 5 medical graduates on an honorarium of Rs.200 each and we divide the work among them, the same money will be utilized and you will not only be providing for medical graduates but you will make the system efficient . . . A general practitioner in the western system uses the stethoscope. Our present system demands that we should take his sputum, blood, urine, etc. If this work is done in a hospital by a number of honorary surgeons the work will be more efficiently done and the people will appreciate it."

On this the Committee wrote :

"We are afraid that as a committee we cannot go into the larger question as to the constitution or the method of recruitment of the Indian Medical Service as we feel that not only it is beyond our scope but also because we have not got any sufficient evidence before us enabling us to express any opinion. But it seems to us that there is room for the complaint that the system under which a single man is appointed to treat patients for all sorts of diseases cannot be treated as a very modern or an up-to-date system. We also think that the attachment of private practitioners to hospitals maintained by Government or local boards should be further encouraged and extended so as to give the private practitioners a chance of becoming more efficient."

* * The honourable member has not revised his speech.

Finally they make the recommendation : "That there is room for the complaint that the system under which a single man is appointed" It is in the same language and I need not repeat it. If the Hon'ble the Minister will read this opinion and this recommendation and the statements made before the Committee by Lieut. Colonel R. S. Townsend, late Inspector General of Civil Hospitals and Colonel H. C. Buckley, the Inspector General, he will find that the problem of unemployment of medical graduates is already fairly acute and growing more so, and that that problem can also be solved better by a change in the system of appointments of doctors in charge of hospitals and not only by the problem of more efficiency and more specialized treatment. The opinions of Colonel Buckley and Lieut. Colonel Townsend will be found at pages 52 and 53 of the Sapru Committee's Report. Now, I need not make any unreasonable demand for any commitment to action in regard to these recommendations. I quite realize that if a change is to be made it can only be made after we have taken into consideration the various aspects of the question inside the Government, and then with the sanction I do not know whether of the higher authorities but certainly of this Council. I shall be content today if the Hon'ble the Minister is in a position to tell me that he will not shelve the question, that he will not look at it as unworthy of consideration, and that he will pay due consideration to the proposals made by the doctors at Allahabad under the leadership of Dr. Banerji in support of the recommendations made by the Sapru Committee and reinforced by the opinions of Colonel Buckley and Lieut. Colonel Townsend on the question of unemployment and the prospects of employment among medical graduates.

The Hon'ble the Minister for Local Self-Government : At the very outset I will assure my friend the Leader of the Opposition that the report of the Sapru Committee will receive my most serious and anxious consideration. But he will recognize that it is impossible for me to give any definite undertaking now. I am glad he has done justice to me by himself saying that he does not expect me to give a considered opinion. All that he wants is that I should examine this proposal in all its bearings. I will emphasise one fact and it is this that as far as interests of the public are concerned and as far as the health of the public is concerned the public will obviously demand the best available knowledge and experience in the district, but this does not necessarily mean that I am not prepared to very carefully examine the proposal embodied in the Sapru Committee Report. However I need not go into further details. All I want to emphasise is that I do hope that the Leader of the Opposition will bear in mind that we cannot altogether ignore the vital medical needs of the public and we must have most efficient and most capable men in whom the public would have confidence, but on the other hand I do recognize that if there is any possibility anywhere to solve the problem of unemployment, it is only right that we should examine the position sympathetically. I repeat again without committing myself to any position that we shall see to what extent we are in a position to give effect to this recommendation to the best interest of the people involved, with a view to see that there is more employment for the young men.

Khan Bahadur Syed Jafer Hosain: Sir, there are one or two aspects of the question to which reference has been made in the Sapru Committee Report, which I should like the Government to bear in mind, and they can forthwith adopt those recommendations because they do not involve any extra expenditure. I mean that now-a-days we find many Indian medical graduates of foreign universities and foreign countries on coming back to India start private practice in different towns and cities in these provinces. In the beginning they are handicapped by competition from getting a fairly good practice. I believe there is a sort of practice in some of the towns and cities to have one or two doctors and attach them to the Sadr hospitals in an honorary capacity. But I have also heard complaint to the effect that the treatment by the Civil Surgeons and the Medical Officers is not what it should be. Their opinion is not respected although some of them are specialists in certain branches of medicine, surgery and medical science. I must tell at once that this practice of ignoring their expert advice should not be allowed to develop. There should be a spirit of comradeship and as such they must work in close co-operation in order to secure the best results and in order to get the maximum of benefit for humanity. This will in my opinion be one of the sources for giving relief to the unemployed which is so acute so far as medical graduates are concerned. At present a good many graduates are willing to be attached to the hospitals in an honorary capacity. I think there would be no harm if they are allowed to be attached to hospitals to get some practical experience there and after that they can go and establish their own practice. There is another point Sir but I will discuss that point under the entire head as the particular motion now before the House is as regards this particular point.

Rai Govind Chandra: Sir, I fail to understand as to what exactly the Hon'ble the Minister means by saying that he wants to give the best medical aid to the people at large. Does he mean to say, Sir, that an Indian Medical Service man who is a surgeon mostly can give best medical aid to the diseased? Is it not a fact that doctors specialize in the West in various departments of medicine? Now, when this department of knowledge has developed so much and the science has gone so far ahead it is no use saying that one Indian Medical Service man can deal with all types of diseases. The Sapru Committee has rightly recommended that four or five M. B. B. S.'s of Lucknow University should be employed in every district hospital in place of one I. M. S. Doctor so that proper medical aid may be given to the public. Even in small places like Benares and Allahabad we find that doctors are beginning to realize that specialization in various departments of medicine is absolutely necessary. Things are not what they were in old days when an Indian Medical Service officer was considered to be next to God and every body wanted to consult him in every important case. No doctor was considered to be better than the Indian Medical Service civil surgeon. Now things are different; the world has changed and people want to consult doctors who are specialists in the diseases they suffer from. Now Sir, what does an Indian Medical Service man do in a hospital? He goes about inspecting patients hired up for his examination seldom observing what their real suffering is. Nevertheless he prescribes for all of them. This type of medical aid, Sir,

is not wanted now. One man's show will not do. In our hospitals, Sir, we really need now doctors who have specialized in the various types of diseases and who can administer the right type of medicine for those diseases. This change in my opinion will provide the best medical aid for the people. With these words, I strongly support the motion of the Hon'ble the Leader of the Opposition.

Rai Bahadur Babu Jagadeva Roy: Sir, the suggestion made by the honourable the Leader of the Opposition is one which in my opinion should have been accepted by the Hon'ble the Minister for Local Self-Government without any qualification whatever. Sir, in my opinion the report itself says very clearly what has been the practice hitherto and what should be the amendment or reorganization in that respect. Now, Sir, the suggestion which has been made in the report does not come from a layman. Eminent doctors have been consulted and according to their suggestion there is only one irresistible conclusion which is this that we are on the one side going to solve the question of unemployment to a certain extent and on the other side we find that there will be distinct improvement in the treatment of patients suffering from various kinds of diseases in hospitals at Sadr. It appears to me that there cannot be any doubt that the efficiency will be improved if this suggestion be carried out fully into effect. The Hon'ble the Minister for Local Self-Government says that we have to take into consideration the fact that there should be a capable medical officer at the Sadr. I say that that suggestion itself is a guarantee for that. And further we say that this is the way which should be readily followed now; otherwise the report cannot be given effect to. By this way without incurring extra expense we are going to solve the problem in a way which is acceptable not only to the public but also to the medical profession. So, in my opinion, the Hon'ble the Minister should show his willingness to do all that lies in his power without any condition whatsoever because if he tries to keep himself back then any suggestion against this coming from interested quarters will have no effect at all in carrying this out. Therefore I think that the suggestion made by the Leader of the Opposition is one which should be accepted unconditionally so far as it lies in the power of the Hon'ble the Minister for Local Self-Government.

***Mr. C. Y. Chintamani:** Sir, I am gratified by the support which this motion has received from my honourable colleagues on the non-official benches. I need not say more with regard to their speeches than that I agree with all that they have said.

As regards the Hon'ble the Minister's speech, I wish to mention that that which he wanted me to recognize had been recognized by me in my opening speech and that therefore he was merely preaching to the converted. I emphasized that the interests of the public required the best consideration of this proposal of a certain number of expert doctors, that the present system of appointing one single doctor to be in charge of the principal hospital of a district does not conduce to the best results as these doctors cannot possibly specialize in every disease, and that it would be a far more serviceable system to replace that one man by a number of men each specializing in a particular line, so that the maximum of service might be rendered to the patients in that hospital from the

* The honourable member has not revised his speech.

[Mr. C. Y. Chintamani]

whole district. The Hon'ble the Minister has emphasised that the vital interests of the public should be regarded. This is just what we non-officials want. May I put one question to him? What is the point of view from which the posting of a medical officer to a district is at present determined? Do the Minister and the Inspector General sit down and consider what are the diseases which are prevalent in a particular district : from which particular disease mortality is the highest in that district and which particular member of the medical service has given the best evidence of a special knowledge of the particular disease which is most prevalent in the district to be posted to that district? I am quite sure that no one will say that is the point of view which determines the posting of any officer. What determines the posting of an officer to a district is whether the private practice in a particular station or district is more or less remunerative than in another station or district and the point of view that senior officers should get the benefit of the more remunerative districts. It does not matter if the diseases prevalent in that particular district are diseases in the treatment of which that senior officer is not specially proficient—he may be proficient in something else. The Hon'ble the Minister did not say that this is the best way of consulting the vital needs of the public. As I said in making this proposal I would not make of the Hon'ble the Minister the unreasonable demand that he should commit himself now and here. I repeat that assurance. I am glad he has promised that the best consideration will be given to the recommendations of the Sapru Committee. But, Sir, a promise without action does not satisfy me. Suppose after a while he will get up and say he is still examining the subject, it will not give any satisfaction to me. I give him notice now, informally, that when we assemble in June in Naini Tal I will question him as to whether the examination of the subject has been concluded and what decision has been taken and if he gives an unsatisfactory answer I give him further notice that I shall pursue him.

With these observations I beg to withdraw the motion.

The motion was, by leave, withdrawn.

Chaudhri Dhirya Singh : Sir, I beg to move that under sub-head A—Medical establishment, a token reduction of Re.1 be made.

जनाब आलो,

इस token out से मेरा मन्शा यह है कि मैं चाहता हूँ कि डाकुर नेहरू treatment by electricity और लू कोहिनोज सिस्टम be followed by the medical officers. डाकुर नेहरू ने, जो अभी मेनपुरी से तशरीफ़ ले गये हैं, उन्होंने electricity से इलाज करना शुरू किया है वह इन्सान तो इन्सान जानवरों तक का इलाज इलेक्टिक सिटो से करते हैं और उनको इसमें अच्छी कामयाबी हो रही है। तो ऐसी हालत में जब कि इससे कोई नुकसान नहीं होता, कुछ खर्च भी नहीं होता जब कि हर डाकुरो इलाज में बेतहाशा खर्च होता है जिसे ग़रीब आदमी बरदाश्त भी नहीं कर सकता और यह एक नया

सिस्टम है और डाकुर नेहरू इस मामले में बहुत क़ाबिल आदमी हैं तो यह इलाज, मेरो राय में, डाकुर साहबान तज़ुर्बा कर के देखें कि यह कहां तक मुफ़ोद है या इसको Research Department में दें या डाकुर नेहरू साहब को जिनको कि इससे बे हद दिलचस्पी है, रिसर्च डिपार्टमेंट में भेज दिया जावे और अगर ऐसा नहीं हो सकता है तो चूँकि उन्होंने यह इलाज मैनपुरी में शुरू कर दिया है और वह long leave पर गये हुये हैं वह फिर वहीं भेज दिये जावें ताकि उनका काम अधूरा न रह जावे।

दूसरे यह लू कोहिनो का Bath System जो कि जर्मनी में ईजाद हुआ था और एक असे से अब तमाम मलक में जारी हो रहा है,

The Hon'ble the President : इसको तो जब और कोई काम बाकी न रहे तब आप को पेश करना चाहिये इस वक्त तो और मसले पेश होंगे।
For the present this is out of order.

Pandit Joti Prasad Upadhyaya : I beg to move that under sub-head B—Hospitals and dispensaries—(a) Medical School Hospital, a reduction of Re.1 be made.

My object in making this motion is to bring to the notice of the Government some facts about the hospital at Agra. The Medical School there is attached to the Thomason Hospital, Agra. Two I. M. S. officers are posted there—one as Principal of the Medical School and the other as Civil Surgeon. When economy is being practised in every department of the Government by all possible ways, there appears to be no earthly reason why this waste by the appointment of two I. M. S. officers in one station should continue. This question, as far as I am aware, was raised in this House even before and it was pointed out that an officer of the Provincial Medical Service would very satisfactorily discharge the functions of the Principal of the Medical School at Agra. But the Government appears to have paid no heed to this popular representation and it continues in its wasteful ways by appointing an officer of the I. M. S. as Principal of this school.

The Hon'ble the President : May I point out to the honourable member that medical schools is under sub-head E—Medical Schools, page 203, which comes later?

Pandit Joti Prasad Upadhyaya : I have taken this from page 19C, where the heading is B—Hospitals and dispensaries, and under it there is a sub-head (a) Medical School Hospital.

The Hon'ble the President : The honourable member is now talking of the Principal, Medical School, who comes under E—Medical Schools on page 197 and 203. Medical School Hospital is different from the Medical School itself. (*After a pause.*) The motion is out of order.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I beg to move that under sub-head B—Hospitals and dispensaries—(c) Grants to hospitals and dispensaries, a reduction of Re.1 be made.

[Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan]

Sir, under this head there is a proposal for the reduction of Rs.29,000, the details of which are given in the Budget Memorandum at page 130. It says:

(i) 21,000 due to omission of certain new items of expenditure, included in the current year's budget but postponed as a measure of economy.

(ii) 13,000 on account of the closing down of the three tuberculosis dispensaries at Agra, Allahabad and Cawnpore.

(iii) 2,000 due to omission of non-recurring items.

The total comes to Rs.36,000. So actually under these sub-heads there is a reduction to the extent of Rs.36,000. It is very difficult to understand how these economies will be effected and what will be the result of these reductions in hospitals and dispensaries which have been receiving grants from the Government. I hope that the Inspector General of Civil Hospitals will be able to explain to the House how he proposes to give effect to these reductions. At the same time I think that it is not fair only for the sake of economy—as is said there “as a measure of economy”—to make any reduction under this head. If honourable members could know how many dispensaries are receiving aid under this head, it would have been good. Really Ramsay Hospital is taking the lion's share out of this grant. It would have been very desirable if the number of these dispensaries and hospitals would have been increased and they would have received direct grant from the local Government. There are many dispensaries which are suffering for want of equipment and staff even in district headquarters. Some time ago at Cawnpore the hospital was provincialized, but there is necessity of provincializing even other hospitals at district headquarters so that they may receive sufficient money and there may be increase in the staff and the hospitals may be better equipped. But instead of increasing the amount under this head there is a proposal for decrease. It really amounts to a total decrease of Rs.99,000 as proposed under this head and it is to my mind highly objectionable.

Then I want to know how is it that the Government has decided to close down the three tuberculosis dispensaries at Agra, Allahabad and Cawnpore while it is admitted that this disease unfortunately is increasing in these provinces. It was on account of an increase in this fatal disease that they had decided to open three dispensaries in those places which are centrally situated and where there is need for special treatment. But now instead of giving more help they are abolishing them. I want to know really as to what were the grounds for arriving at the decision to abolish these dispensaries.

The third item is of 2,000, due to the omission of non-recurring items. What are the items which they want to omit and thus making an economy of Rs.2,000?

Khan Bahadur Saiyid Jafer Hosain: The question raised by my friend to my right is a very important question—at least that part of the question which is connected with the supply of medicines to the

various hospitals. I understand that this grant includes the amount given for medicines to the various hospitals and dispensaries throughout the province. A general complaint has been prevalent for the last so many years that the medicines supplied to patients at the various hospitals and dispensaries at tahsils and sadar are not up to the standard and that the major part of them is composed of pure water. I know that water forms a major portion of the allopathic system of medicine, but still I am in possession of certain facts so far as the dispensaries in my district are concerned on the basis of which I can say that it is due to lack of sufficient funds that we are obliged to fall back upon the safe expedient of giving medicines which are almost cent per cent. composed of *aqua*. That is the principal reason why very little relief can be expected from medicines of that type which are supplied to poor patients who visit these hospitals. It requires very serious consideration on the part of the Government. They have already discredited the system of allopathic medicine in the eyes of Indians and the chief factor in bringing about this feeling is what I have just mentioned. Monetary considerations should not come in the way of giving a full supply of medicines and stocking a large supply of medicines in hospitals so that the patients may really benefit by this system.

Then, as regards provincialization, which my friend has mentioned, I think it is fact that in some of the hospitals in the Sadar there has been a sharp conflict between the municipal and district boards as regards the contribution which should be paid by the municipal boards to the district boards for the upkeep of a particular hospital. I know of cases in which the municipal boards have refused to contribute towards the upkeep of hospitals, which has led to disastrous results in the matter of efficiency. For example, the Moradabad Municipal Board and the Amroha Board flatly refused some time ago to pay their share of contribution to the District Board for the upkeep of the hospitals there. The existing arrangement of contribution leads to conflicts and loss of efficiency, and I think it would be just as well to provincialize some of the important Sadar hospitals in the bigger cities. I know that this scheme would involve the Government in additional expenditure, but considering the fact that the Hon'ble Minister is likely to get a fairly good amount of money from the Finance Department out of the proceeds of the taxation measures which we have passed recently, as also the fact that he will get some money out of the Road Fund and the motor taxation it seems to me that he should now proceed with this scheme. I hope that the first charge on the finances of the province should be that of help to hospitals, so that the suffering humanity might get good quality medicines and real relief in their distress and ailments.

Rai Bahadur Vikramajit Singh: On this motion of my honourable friend there is one fact in my possession, and consequently I would like to place it for the consideration of the House. There has been a reduction of Rs.13,000 on account of the closing down of three tuberculosis dispensaries at Allahabad, Agra and Cawnpore. I am familiar

[Rai Bahadur Vikramajit Singh]

with the tuberculosis dispensary at Cawnpore, which has been closed down. This dispensary in my opinion has very rightly been closed down. It was badly located and badly equipped and badly housed. It was an apology for a dispensary for tubercular patients and I do not think that any patient would like to stay in a dispensary which was located in a very congested part of the city, and where there was any amount of dust. The money which was spent on that dispensary was a sheer waste, and I think that it was perfectly right that it has been closed down. There was no doubt a proposal before the Municipal Board of Cawnpore for having a very good tuberculosis dispensary there. That scheme was formulated during the time I was the Chairman of the Municipal Board but it appears that it was shelved subsequently. But I would like to invite the attention of the Hon'ble Minister to call upon the Municipal Board to go into the question and have a proper tuberculosis dispensary in Cawnpore. They have got funds at their disposal and they can very easily do it. With the sum of Rs.13,000 you cannot certainly run tuberculosis hospitals of the right type in three different places. For such a hospital you require a good house for accommodating patients, fresh air and several wards. Therefore if this money is spent on dispensaries which do not serve the useful purpose of helping the tuberculosis patients the money is saved by closing down those dispensaries. I am not in favour of curtailing medical relief. I would rather like more facilities to be given. But if money is spent on dispensaries of this nature which do not help any patient, then it is money wasted and it can be utilized better for other purposes.

The Hon'ble the Minister for Local Self-Government: Sir, my friend, the member from Aligarh, has raised three points.

The first point is with regard to the provincialization of hospitals. I assure him that nothing will give me greater pleasure than to go ahead with the proposal. But it is all a question of funds. If funds are available, I would like to provincialize as many hospitals as possible at no distant date.

With regard to the next point, viz. the closing down of small dispensaries for tuberculosis patients, my friend, the Leader of the Constitutionalist Party, has met this point effectively. It is no use having ill-equipped tuberculosis dispensaries, because they really serve no useful purpose. It is much better to have at one place a well-equipped clinic, where people could go and derive benefit and where they could also have expert opinion and get the right type of medicines and various other facilities which are so necessary to treat tuberculosis patients. My friend knows that we are going to establish a clinic like this at Allahabad. There is going to be one at Lucknow. I entirely agree with my friend, the Leader of the Constitutionalist Party that probably the Municipal Board of Cawnpore should pay attention to this question of establishing a clinic at Cawnpore as well. But, Sir, it is all a question of funds. I hope that my friend will recognize that if I am not in a position to give an undertaking it is entirely due to the fact that no funds are available. I repeat again that it will be a great

pleasure to me, if funds are available, to have some more clinics for tuberculosis patients at various other important centres. The honourable members will recognize that, considering the limited resources at my command, I am doing all that lies in my power by establishing a clinic at Allahabad. We have abolished three small dispensaries which were doing no good. It was the considered opinion of the Inspector General of Civil Hospitals who was lately in charge of the department. He said that it was a sheer waste of money. It could do no good to the public and it was much better to have a clinic at some important centre which would be a real boon to the people of the various areas in the province.

As regards the grants to the dispensaries so that the efficacy of the medicines may be improved, it is again a question of funds. If I have funds at my command, nothing will give me greater pleasure than to give grants to these dispensaries, but at present the question of fresh grants does not arise at all. As it is we find it hard to carry on our activities with the meagre resources at our command. I do hope that better days will return and that it will be possible for me to do something in this direction. These are all the points that have been made by my honourable friend, the mover of the motion. I hope that in view of what I have said he will not press his motion.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: How will the economy to the extent of Rs.1,000 be effected?

The Hon'ble the Minister for Local Self-Government: This was new expenditure that was included in the budget. We shall cut it out. I hope that later on it will be possible for the Finance Department to restore it. Of course, it cannot be done now.

Khan Bahadur Maulvi Fasih-ud-din: What are these new items?

The Hon'ble the Minister for Local Self-Government: Here are some of the items: Increased grant to the Charitable Female Hospital, Fatehgarh. Grant to the Church Mission Female Dispensary at Meerut. Increased grant to the European Cottage Hospital, Mussoorie. That is Rs.2,000 only. Grant for maintenance of unhealthy children—leper patients—Rupees 7,200. Grant to the Ramsay Hospital for repairs to its building. That will be non-recurring. These are all the items.

(At this stage the Council adjourned for lunch at 1 p.m.)

(After recess the House reassembled at 2 p.m. with the Deputy President in the Chair.)

***Mr. C. Y. Chintamani:** The next motion on the order paper standing in my name was intended to cover the same ground as that traversed by my honourable friend the mover of the present cut. I have the advantage of having heard the statement of the Hon'ble Minister in defence of the reduction which was criticised by the honourable mover. It may be that one or more of the institutions against which the reduction is directed are not well conducted institutions as has been alleged by the honourable member for Cawnpore, but if they are not well conducted, they must be

* The honourable member has not revised his speech.

[Mr. C. Y. Chintaman]

replaced by other institutions better conducted than they are at present so long as it is not denied that tuberculosis, the fell disease, is on the increase and special remedial measures are required to combat that disease. For so long, it cannot be contended that the duty of the Government is discharged when they withdraw a grant from an institution which is not conducted to their satisfaction.

With regard to the omission of certain items included in the budget of the present year, but afterwards not carried into effect, the argument of financial stringency has been put forward for the one-thousandth and one time. That argument may come with good grace from any one, but it cannot from the mouth of that Hon'ble Minister. In the first place, Ministers ought not to employ that argument at all in view of the service they have rendered to the Finance Department of the Government by an enormous increase of excise revenue for which they are responsible. In the second place, that particular Hon'ble Minister, less than 24 hours ago, was depending in his characteristic manner on the creation of a new appointment of a very high salary, although the province has done without it for generations. It does not lie in his mouth before the ink is dry upon the note that was taken of his words to put forward that argument. I would ask the Hon'ble Minister to put himself one question, if he is in the habit of occasional introspection. I would ask him to inquire in the seclusion of his study what he has done during the long time he has been Minister in charge of Medical Department to provide greater facilities for the people to obtain medical relief. He has now been in office in charge of the same department for over ten years and two months. By the time the present Council and Government are at an end he will have held office for more than eleven years. Suppose he were to ask himself what was the condition of hospitals and dispensaries in the province when he took charge, how many were there, what was the need for them, how much of the need was left unsatisfied at that time, what was the expenditure of public money upon them in the year 1926, what is it today, how much have I been able to do during these eleven years to increase the number of institutions and to supply the needs of the people in ampler measure than was the case at the time he came in. Suppose he put that question to himself either this year or next year, he must be a very bold man if he will be able to give an answer to that question which will satisfy even himself.

One suggestion has been made on this side with regard to the provincialization of hospitals. Since this was placed before the Minister, one hospital—the Colvin Hospital—at Allahabad has been provincialised, and for that good done by the Minister thanks have been accorded to him more than once. But what has been done is very small by the side of what remains to be accomplished. I do not think it is a practicable proposition, or even a desirable one, that every hospital that is now maintained and controlled by local bodies should be taken over by the provincial Government. I would not go so far as that, as I have said it is not practicable and it is doubtful even if it is desirable, but at least one hospital in every important district or in every larger district with

a headquarters station which is of more than local importance should be a very well-equipped and a very well-established institution—a modern institution as it were, which would amply serve the need of the urban and rural population of that particular district. That is not the position at present. In the Education Department the Government maintain at least one high school in every district and Sir John Hewett, in whose time this one Government high school in every district was established, described it as a model high school, which private institutions were expected to emulate. I submit that the need for a very well-equipped and well-established model hospital at the headquarters of a district is even greater than the need for a high school. Men and women must be healthy before they can be educated. In this matter there are no two departments under the Government which are of greater importance to the public than the Medical and the Public Health. Both of them are in charge of one Minister. That is quite right, as they are allied subjects. But I regret to say that they have not received the amount of attention which their importance deserves.

Before I close I will venture to make one suggestion to the Hon'ble Minister. There is sure to be a movement in the province for a worthy memorial to our late sovereign King George V, a sovereign who reigned in our hearts. In other provinces Governors have already convened preliminary meetings and committees have been set up to consider the form the memorial should take. I would suggest to the Hon'ble Minister, if I might, that he might place before His Excellency the Governor here a suggestion that the memorial to King George the V in these provinces might take the form of a hospital fund. The memorial to his father King Edward VII has taken the shape of the Sanatorium at Bhowali, an institution which has filled a distinct want and has done immense good to the people of the entire province. When King Edward VII died, a national memorial in England was formed of King Edward VII Hospital Fund. A large amount of money was collected and grants have been distributed from that fund to various hospitals and dispensaries. In this province public health is notoriously unsatisfactory, the rate of mortality is very high, the number and the seriousness of diseases is on the increase, provision made for medical relief is utterly inadequate, the financial resources of the Government do not enable them to take any serious steps to meet the whole of the public requirements and further as it is unlikely that in the near future its financial resources will so much improve as to enable the Government to do all that should be done and can be done. Therefore it would be the greatest of public blessings if the King George's Memorial in this province could be formed into King George's Hospital Fund. The Medical College in this city bears his honoured name, and if such a fund were to be established here and grants were disbursed to hospitals and dispensaries from that the public needs could be met to a far greater extent than they could ever be from the resources of the provincial Government alone. I give my full support to the motion before the House.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Sir, I am glad that this motion of mine has met with general support from the

[Khan Bahadur Hap Mahmood (Chief of the Khudai Khan) House. Every honorable member has realized the importance of the suggestion which I made in my first speech. I agree with Rai Bahadur Vikramaji Singh Sahai that a maternity hospital at an unsuitable location should be closed as soon as possible. But at the same time I shall request the Government to do something to give relief to the poor patients who are suffering from tuberculosis in these big cities. The Hon'ble Minister has said that they have established a clinic in Allahabad. But what steps are they taking to treat the patients who are suffering from this disease in Cawnpore and Agra? The Government should take steps to establish clinics at Agra and Cawnpore also at the earliest possible date because they are very badly needed there and I do not think it will be just to delay the matter any longer.

Sir, with regard to provincialization of hospitals, I want to urge upon the Government the need for provincializing hospitals at an early date. They should prepare a scheme and see that certain hospitals are provincialized every year, and I hope the Finance Department will not grudge the money which will be spent upon bettering the condition of the poor patients in the mufussil wherefrom they derive so much income in the shape of land revenue. It was in 1929-30 that the Cawnpore hospital was provincialized. Since then for the last seven years no hospital has been provincialized. If the Government is of opinion that it is necessary and desirable to provincialize hospitals in district headquarters they should take some active steps to give effect to that suggestion and the scheme.

I think that the suggestion made by the Leader of the Opposition is a very sound one and the Government should see that the memorial is established. At the same time I will inquire from the Government when are the hospitals going to receive their quota from the Jubilee Fund, because in certain hospitals they are waiting for getting their quota from that Fund. Take, for instance, the case of Aligarh. The authorities are there thinking of establishing an X-ray branch as soon as they receive the amount from the Jubilee Fund. It has been overdue and now the Government should see that that amount is distributed at an early date. Delay is not desirable in that respect. So far as the main point is concerned, that is the reduction of the expenditure by Rs.36,000 under this head, it has not been pointed out how this will be adjusted, and what I could gather from the speech of the Hon'ble Minister is that they are rather forced to make that economy and the work will suffer if that economy is made. Therefore I submit that the House should adopt this motion in order to emphasize upon the Government the necessity of not asking the Medical Department to make a forced economy, because it will not be in the interests of the province and it will not be in the interests of the patients to put forward any suggestion of economy in connexion with the grant to dispensaries and hospitals, and the Hon'ble Minister should see that no reduction is made now while the Government is getting large sum of money on account of fresh taxation, and therefore there does not remain any necessity of forcing this economy upon the Medical Department. With these words I commend my motion to the acceptance of the House.

The Hon'ble the Minister for Local Self-Government: Sir, I am in full sympathy with the mover of the resolution when he says that more district hospitals should be provincialized. It is obvious that we cannot provincialize all the hospitals in each of the districts at one and the same time. The process will necessarily be slow owing to financial difficulties, but I do say that if funds are available nothing will give me greater pleasure than to go ahead with this scheme. In regard to the question of giving grants, I have already said that if funds are available I shall be glad to consider the question of giving grants to various hospitals in rural areas. As regards the withdrawal of grants to 3 tuberculosis hospitals I am afraid it will have to be necessarily done for the purpose of having a clinic at Allahabad. As regards other places like Cawnpore we shall require money and we shall have obviously to wait till funds are available for this purpose. I have no reason to differ from him. But I hope he will recognize that in view of the present financial difficulties it is not possible for me to make any definite commitment at this stage.

As regards the speech of my friend the Leader of the Opposition, in which he has stated that for the last 10 years I have been in charge of the Medical Department there has been no progress, I want to tell the Leader of the Opposition that I took over charge of the Medical Department in 1932. As luck would have it depression started from that time and ever since we have been asking for money and no money was available. What has been happening is this that recurring increasing expenditure had absorbed all the available funds every year with the result that the Medical Department has been unfortunate in getting an additional amount with which it could really substantially extend its activities. Honourable members know what the position has been during the last few years. There has been a deficit of nearly 2 crores and during current year there is a deficit of almost 80 lakhs. In all these circumstances and in view of what the House has done now namely that these two taxation measures have been passed and also the revenue would be derived in the Excise Department to the extent of about 8 lakhs, I do hope that it will be possible for me to get a substantial sum to do something really substantial which will be in the best interest of the public, and then I shall be afforded an opportunity to say that I am doing all that I can to increase the efficiency of the department on the one hand and on the other hand to give extended medical facilities to the public.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: What about the Jubilee Fund?

The Hon'ble the Minister for Local Self-Government: With regard to the Jubilee Fund, it is not controlled by the department at all. It is controlled by a committee. I hope that such funds as may be made available to the Dufferin Fund or to Red Cross Society will be suitably utilized in the various districts . . .

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: When will they be made available?

The Deputy President: That the Hon'ble Minister cannot say.

The Hon'ble the Minister for Local Self-Government : That I cannot say. It is for the Committee to decide, but I hope that funds would be available for medical aid to women in various hospitals and to institutions such as the Dufferin Fund and the Red Cross and that they will be utilized to the best advantage. That is all I am in a position to say with regard to the Jubilee Fund. With regard to the proposal of my friend, the Leader of the Opposition, nothing could be more laudable than that. Let me hope that by the efforts of men like my friend the Leader of the Opposition and by our joint efforts it will be possible for us to raise a substantial amount and utilize it to the best advantage, namely, medical aid to the people generally of these provinces. That is all I need say, and I hope that in view of what I have said my friend the mover will withdraw his motion.

The Deputy President : Will the honourable member state the issue?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : My aim is that the proposed retrenchment should not be made because it will affect the hospitals and dispensaries adversely.

The Deputy President : The issue has been stated by the honourable member himself.

The question is that under sub-head B—Hospitals and dispensaries—
(c) Grants to hospitals and dispensaries, a reduction of Re.1 be made.

The question was put and agreed to.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I beg to move that under sub-head B—Hospitals and dispensaries—*(d) Contributions to local bodies*—1. General, a reduction of Re.1 be made.

If the honourable members will look at page 201 of the Detailed Estimates they will find that under contributions to local bodies under head "General" there is a recurring grant of Rs.3,43,927 budgeted for the year 1936-37 and a non-recurring one of Rs.4,822. This amount is very small and seeing the dimensions of the province it is like a drop in the ocean. My proposal is that the Government should give more grants to local bodies for medical purposes and at the same time they should earmark a portion of the income of district and municipal boards for spending it on medical aid as is done in the case of education. In many districts very little is spent under this head and consequently little relief is provided in the rural areas in this province; while in other provinces much more has been achieved in this direction than what has been here so far. I understand that in the Punjab there is one dispensary within the radius of five miles; while here even for a group of 100 villages there is scarcely any dispensary. Not only that; those dispensaries which exist are not well housed and properly equipped. If there is any serious case it cannot be treated properly in a village and the patient is to be taken to the district headquarters. Poor people cannot afford to take the patients to the district headquarters because they cannot incur expenditure, and at times the condition of the patient is so serious that he cannot travel a long way. So, it is highly desirable that provision should be made for the treatment of poor patients in rural areas, and unless and until sufficient money is allotted under this head that object cannot be achieved.

Therefore, it is very necessary that Government should take some suitable steps to redress this grievance. To my mind a possible suggestion is this, that Government should ask local bodies to earmark a certain portion of their income for that purpose, because it is one of the main duties of the local bodies to provide medical facilities to the inhabitants of the places situated within their limits. Government has been fortunate enough to get money from the petrol fund to set the roads right; but there is no such fund at their disposal to enable them to remove this long-standing grievance. I do hope that Government will consider this suggestion of mine favourably and that the House will agree with me that there is great necessity of placing sufficient funds at the disposal of the local bodies for medical purposes. Therefore, I commend this motion to the acceptance of the House.

Khan Bahadur Maulvi Fasih-ud-din: Sir, I give my whole-hearted support to the motion of my friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan. We find, sir, that the chief source of income of the district boards is the cesses, and a very large percentage of this income I think about 50, is spent on education. Government is now considering the advisability of evolving a very equitable system of grants to the district boards for the educational advancement of the country. But there is absolutely no scheme for fixing grants to district boards in connexion with the medical requirements of the rural areas. My own experience is that the hospitals, the few that are in the rural areas, are very ill-furnished and they receive very bad treatment at the hands of the district boards. The district boards, on the other hand, say that they receive practically no grant from Government and as their finances are crippled they are not in a position to help these hospitals in the rural areas. These hospitals get a small amount of Rs.300 a year for the purchase of medicines and also surgical instruments. This is such a small amount that no one can expect these hospitals to be run on an efficient basis. I think it is up to the Government to fix grants which are to be made to these boards out of its own funds and also regulate the system of grants by the district boards by appointing at once a committee in order to go into the whole question.

Munshi Amir Hasan Khan: I very strongly support this motion. I will cite two instances which will make you laugh and at the same time make you think seriously about the future administration of Government in this respect. I would cite the case of Fatehpur. There are also two sorts of hospitals managed by district board. About 8 years ago a Veterinary Hospital at Ghazipur was resolved to be closed down. I questioned the member of the circle, "What was the matter, my dear friend?" He said "*Mere to maweshi kabhi us men gac hi nahin.*" That was the only reason assigned for voting against the hospital.

The second instance is this. At Ghazipur tehsil there was a hospital. For 8 years the civil surgeon of Fatehpur has been repeatedly reporting that the attendance was very low (20) and the people do not appreciate the allopathic treatment, the hospital should be transferred from that place to some suitable place and he suggested Jahanabad which is a

[Munshi Anwar Hasan Khan.]

historical place with a population of over 6,000 souls. It was a very good suggestion by the Civil Surgeon. The local board by a resolution shifted the hospital to Jahamabad and a gentleman with high family traditions offered his house worth Rs.50,000 for the hospital. After a month the District Board election took place and a gentleman was elected chairman. His party began to say that the doctor in charge of this hospital was not a fit person. Abruptly a resolution was passed, when his party men were present, that the hospital should be shifted to Ghazipur again. Other party wired to the District Magistrate and the Commissioner against the resolution alleging that the resolution was passed without discussion and without calling in members who were standing in the verandah of the hall. It is said this is done in defiance of the people's demand simply to discredit the doctor who is not amenable to some. In my opinion sums should be earmarked both by the Government and by local boards for hospitals and care be taken to see that these grants are *bona fide* employed in ameliorating the condition of the people concerned. Medical relief for villages is very bad in United Provinces; there should be a dispensary for every ten villages. In Punjab there exists one for every five.

Pandit Joti Prasad Upadhyaya: I rise to support this motion of Mr. Obaidur Rahman Khan. There is a similar motion in my name, no. 18, and I would take the opportunity of speaking now. It is quite true, as observed by a previous speaker, that there are very few facilities for medical treatment in the rural areas. The district boards naturally are unable to supply sufficient medical relief to the poor villagers for want of funds at their disposal. The main source of income of the district boards is from cesses which is realized from the zamindars, and this amount of cess is not enough even to meet the ordinary expenses of the district boards and a large part of it—as was observed by Khan Bahadur Maulvi Fasih-ud-din—is spent upon primary education. Even for that purpose it is not enough. Now if we take it into consideration—this contribution made by the Government for the maintenance of dispensaries and hospitals in the various districts of this province, namely, the amount given here, Rs.3,49,927 (that is the recurring grant given by the Government to various districts boards)—one is at a loss to understand how with such a small amount, after it has been distributed among the various district boards, the district boards in the province will be in a position to give any medical relief to the residents of rural areas. It is really a wonder that only a sum of 3½ lakhs should be given to district boards for medical relief. I do not know, Sir, what the Hon'ble the Minister will say to this. Probably the usual plea—want of funds and rejection of his representations by the Finance Department—would be taken up by him. But all the same this is a very small amount. The next item under this head is the scheme for increasing the number of dispensaries, and this too is intended, I think, for the whole province. The amount is a little more than Rs.7,000. This is a very splendid scheme, but I do not think any member of this honourable House or any member of the public will give credit to the Government for giving only Rs.7,000 for this scheme. It is hoped, Sir, that the Hon'ble Minister will very kindly look into

this matter and find out a larger amount under both these heads in order to give more adequate relief to the residents of rural areas who are the principal persons from whom a bulk of the provincial revenues are realized.

Pandit Prem Ballabh Belwal : Sir, I support the motion before the House. I would further like to lay a protest that Government has not been quite mindful to give their due share of contribution to the district boards, particularly in the Kumaun Division, where district boards are prepared to open new dispensaries. Sir, the Government themselves asked the local bodies to come forward with a demand and said that if they could raise half the money, Government will contribute the other half. There have been many cases in our parts of the district boards which were prepared to meet half the amount and requested the Government to contribute the rest. But the Government has not been pleased to do that as yet. Even the Hon'ble Minister for Local Self-Government knows fully well how badly the interior and the rural areas in the Kumaun Division are wanting in medical relief. There are very few dispensaries so far opened, and it is not at all an exaggeration if I say that at some places there is no dispensary—Allopathic or Ayurvedic—within a radius of 30, 40 or even 50 miles; and whenever anyone is in need of medical relief even for the first aid he has to cover a long distance. How difficult it is to travel all the way especially in the hills where there is no motor service or tonga conveyance? There are very few roads worth the name. The Government has a clear cut programme to open a dispensary within a radius of five miles and the Government have laid stress on this more than once. If it was the intention of the Government to open more and more dispensaries and to establish dispensaries within a radius of five miles how it is that the district boards are refused their due share of contribution. It is, however, too much to ask them in the present financial circumstances to give effect to this scheme, but the Government must consider favourably the requests of the local boards for half the contribution in cases where they are prepared to pay the other half from their own resources.

Shaikh Muhammad Habib-ullah : I lend my entire support to the motion of my friend Khan Bahadur Sahib. My friend is very philanthropic and he has been in the Council for about twelve years. He woke up to the need, I am afraid, at the very last stage and at a time when perhaps he knows better than myself that there is very little hope of going ahead with the scheme. Anyhow his suggestion is not to rely entirely on the support of the provincial exchequer but that a certain percentage of the district boards' income should be earmarked for these dispensaries for the establishment of institutions to give medical relief to the villagers. I wish the members of the district and municipal boards had in their heart of hearts the same feeling about the expansion of these dispensaries. They may agree to the allotment of certain funds for medical relief but we may find great disagreement among them as to how they should spend the allotment on medical relief. There may be a set of people who may say "Let us have

[Shauki Muhammad Habibullah:]

Ayurvedic dispensaries". Another set of people might say "Let us have Unani dispensaries" and so on and so forth. Some people might suggest the German treatment and some might suggest trial of some other kind of treatment. If this scheme is to be given effect to, it should be a scheme drawn up absolutely by the Government for the establishment of dispensaries for a particular kind of treatment; the treatment is one which is accepted by the Government and on which the Government spends its money. But if we leave it to the sweet will of the district board, then I am afraid that more money might be wasted and the object at the heart of my honourable friend might not be achieved. This is the only remark that I had to offer.

Thakur Muneshwar Bakhsh Singh: I had a motion in my name, but instead of moving it, I shall make a few observations on the motion under discussion. The provision under this head is quite insufficient. The budgets of the district boards are quite tight and the boards find it difficult to balance the budget. We do provide sufficient money for medical relief, and the dispensaries that are run by the district boards are not properly maintained. There is not a sufficient supply of medicines and they are mostly ill equipped. So unless the Government gives a substantial grant to the district boards for the purpose, the existing dispensaries cannot discharge their duties satisfactorily. Hundreds of patients come to these dispensaries. They get only water as medicine, and so the medicine has no effect. As a matter of fact there is much need for improving the existing dispensaries as well as for increasing their number. Sometimes a person has to go twenty to twenty-five miles to get medical relief. So I think that the number of dispensaries should be increased, and for this purpose the Government should contribute money to local bodies. As was suggested by the mover, the district boards might also be asked to allot a certain percentage for medical relief. Medical relief should be the first concern of a district board, and after that comes education. These district boards are at present giving more money on education and little on medical relief. With these few words I support the motion before the House.

Captain Nawab Muhammad Jamshed Ali Khan: I shall not be doing my duty if at this juncture I did not say a word or two about the district of Meerut. In such an important district as Meerut there is only one female dispensary at the headquarters and none in the mufasssil. Now on the occasion of the Silver Jubilee the general public raised subscriptions, and built a female dispensary at Baghpat. The building of the Hospital is quite complete and it cost Rs.13,000. Neither the Government nor the District Board paid anything at all towards the construction of this building. It is with the public subscription that this dispensary is now well-equipped. It has got all the necessary implements, all the necessary furniture and medicines for one year. This is all done, but it is beyond the power of the local public to keep it going and to arrange for a recurring grant. We have no alternative but to look upon our Provincial Government to help us. I

am very sorry to say that when the matter was referred to the Government, we could only get Rs.1,800 annually. It can easily be imagined that a dispensary cannot be run on such a meagre grant. Thanks to the District Board of Meerut which did not lag behind and came forward with a recurring grant of Rs.1,000; but even then Rs.2,300 is not enough for running a female dispensary. I would therefore request the Hon'ble Minister and the Inspector General of Civil Hospitals to look into the matter and to increase the recurring grant to this dispensary. The private enterprisers must receive some encouragement from the Provincial Government, so that it may give an impetus to others for charitable works. I hope Lady Srivastava will say a few words in my support on this point, because this is more important than the question of the representation of ladies on district boards.

Thakur Giriraj Singh: Sir, I think every one of us would like to speak on this subject because we are directly or indirectly connected with the local boards. We all feel that the amount allotted for the coming financial year is so inadequate that it will be very difficult for any local board to keep all its dispensaries in order and to supply medicines properly. Every year the demand of the non-official members has been to the effect that money under this head should be increased, but to no effect.

There is another point which I submit. District boards maintain dispensaries in the mufassil and also spend a large amount of money over these dispensaries, which are in the municipal areas. According to the rules the municipal board should contribute to the district board according to the proportion of the patients treated in the municipal area.

Rai Bahadur Vikramajit Singh: Sir, the honourable member is not very audible.

Thakur Giriraj Singh: The Government intervened in the matter and it was decided that the Commissioner should decide the matter and that the boards should abide by his decision. In certain cases the amount fixed by the Commissioner was not adequate but still it was accepted by the boards. I will, however, submit that in every district there are town areas and notified areas, which contribute to the district board very meagre sums. I think it would not be improper if the Government insists upon those notified areas and town areas to make a larger contribution, especially in those cases where the district boards run the dispensaries. Perhaps it will not be out of place to mention here one dispensary which was opened at Azmatgarh in the Azamgarh District. That dispensary is a private one and its cost is paid by one rich man named Rai Bahadur Babu Mukand Lal. Some time back the Rai Bahadur wrote a letter to the Chairman, District Board, Azamgarh, that that dispensary should be taken over by the Board. So the Board of Azamgarh wrote a letter to the Government for an increased grant. The District Board of Azamgarh want that that dispensary can be kept under their control, if the Government is ready to increase the contribution. I am not aware as to what Government has decided about that dispensary. I whole-heartedly support the motion, because it is not the grievance of only one district, but of all the districts, that more contribution should be given by Government to local boards.

The Hon'ble the Minister for Local Self-Government: Sir, my friend the mover of this motion has raised the point of grants-in-aid to local bodies generally for medical aid. He has particularly emphasized the question of giving grants-in-aid to new dispensaries. Honourable members are aware that so far as the existing hospitals are concerned, Government is giving a grant to the extent of Rs.3,13,927. It may be said that more allotment should have been made under this head. Nothing would have given me greater pleasure than to get that money and to be in a position to help the board where I felt that the help was really needed. After all, the House must recognize its own limitations. It has got to find money for its own purpose. It is the custodian of the purse of the public. It must know its resources, and it must know its expenditure. It is all very well to make proposals which are entirely beyond its means. The House will recognize that before we think of embarking on any ambitious scheme, we must take stock of our own financial position. It is clear that we cannot at present think of entertaining any ambitious scheme. My friend has said that we should embark on a scheme which would at least provide a dispensary within a radius of 5, 6 or 10 miles. That kind of scheme will obviously cost us at least somewhere in the neighbourhood of Rs.8 to 9 lakhs to begin with, with progressive expenditure on it. It is therefore clear that such a scheme cannot be regarded as a practical proposition at present, although I do not say that if funds are available, that scheme should not be taken up. I may inform the House that we have a scheme ready which aims at providing dispensaries in rural areas within a radius of five miles. But there can be no question of entertaining a scheme of the kind contemplated by my honourable friend at present.

With regard to the question of giving grants to new dispensaries, I may inform the House that Government is always ready to provide new expenditure, if funds are available. I do admit that subsidized dispensaries are very popular indeed. There is a demand for them in every direction. Let me hope that funds will be available to a greater extent and that it would be possible for us to meet all those demands from the local bodies. But when the question of giving grants for maintaining existing institutions is raised, then I can only say that unless a very good case is made out it is not possible for Government to do anything. It is the primary duty of the local bodies to maintain these dispensaries and supply medicines. If, however, a very strong case is made out for a grant and funds are available for the purpose, no doubt Government may consider that case as a special case on its merits and may come forward if possible to help it.

My friend the member from Meerut has pressed the claim of the female hospital. He has referred to the Dufferin Fund and the Jubilee Fund.

Captain Nawab Muhammad Jamshed Ali Khan: It has nothing to do with Dufferin Fund.

The Hon'ble the Minister for Local Self-Government: So far as Government is concerned he will recognize that Government is giving a grant of Rs.1,000. Bearing in mind the slender purse of the Government he will, I hope, recognize that Government is helping in

a substantial measure this hospital. It is not possible for me to make any commitments with regard to grants-in-aid to existing hospitals, because it is clear that no funds are available. Whenever funds will be available we will first utilize them for the purpose of increasing the number of hospitals so that medical relief may be well distributed all over rural areas. That being the case, it is obvious that no funds are likely to be forthcoming for existing institutions and they must necessarily remain the responsibility of the local bodies themselves.

These were all the points, I think, which were raised. I am no doubt in general sympathy with the idea that more grants should be given to local bodies in order to establish new dispensaries and I hope the House will be in a position to place funds at the disposal of Government so that it may go ahead with the scheme of establishing new hospitals. In view of what I have said I hope that the mover will withdraw his motion.

(During the course of the above speech the Hon'ble the President resumed the Chair at 3 p.m.)

Nawabzada Muhammad Liaquat Ali Khan: Sir, the people in the rural areas must feel grateful to my friend Khan Bahadur Muhammad Obaidur Rahman Khan for having taken up their cause. The Hon'ble Minister has talked of ambitious schemes, he has spoken of scarcity of funds. I have, Sir, just worked out a few figures which might be interesting to this House and to the Hon'ble Minister himself. I have taken the population of this province living in rural areas to be about four crores. The Government have provided the "magnificent" sum of Rs.3,55,000 under this head for a population of four crores. It comes to 14 annas per hundred of population per annum. Any Government which lays claim to being civilized, any Government which lays claim to having the interests of the people at heart, any Government which lays claim to having human sympathy will not come forward and put forward this kind of plea as the Hon'ble Minister has done. I think it is scandalous, nothing but scandalous and callous, on the part of this Government to neglect the interests of the rural population in the matter of medical relief to such an extent. Does the Hon'ble Minister and the Government of which he is a member think that 14 annas per annum per hundred of population in these provinces is sufficient to provide medical relief, facilities which in civilized countries are provided even for animals? Does he think that this is sufficient? I think, Sir, that for him to come forward and put forward the plea of want of sufficient funds is nothing but callousness. Whenever money is needed for other objects of this Government, like fine Council Chambers, fine Police buildings, fine macadamized roads, then there is no question of lack of funds. People are taxed : we must find money. Find money from where? That is not the concern of this Government. It is our duty as "good citizens" to find funds for providing all these luxuries. But when we come forward and want that sufficient medical relief be given to the poor cultivator who bears the largest portion of the burden of taxation then we are told that we must look to our

[Nawabzada Muhammad Liaquat Ali Khan] finances. We have got ambitious schemes! Does the Hon'ble Minister think that this is an ambitious scheme which my friend Khan Bahadur Obaidur Rahman Khan has put forward? Does he think that what the Government is doing for the rural population with regard to medical relief is enough? Sir, to my mind even the abolition of 20 districts or even 30 districts would not put us out so much as not providing medical relief for our rural population. The Government comes forward with fresh taxation to maintain four districts, and a certain number of tahsils. What is the good of maintaining districts and tahsils when the people of those districts and tahsils are dying in thousands every day for want of sufficient medical relief?

Mr. President, I support most strongly the motion that has been moved by my friend Khan Bahadur Muhammad Obaid-ur-Rahman Khan. This Government should find money, they should cut down their other expenses and find money for providing medical relief for millions and millions of suffering people who are living in villages. It is they who are the backbone of the country, it is they who provide the largest amount of revenue to this Government, and it is the duty of this Government, as it is of every honourable member of this House, to take into consideration the sorrowful plight of these people.

Rai Bahadur Vikramajit Singh: Sir, I quite agree with the mover of the motion that there ought to be more money available for medical relief in rural areas. In previous years I spoke on the subject and asked the Government to find more money to give relief in rural areas, but unfortunately nothing substantial has been done. I do realize that it is not the fault of the Minister that more money is not forthcoming, but I think that the Government as a whole should realize the fact that for rural population sufficient sums for medical relief are really necessary. We have personal experience. When we go about in villages we find that there is absolutely no medical aid of any kind available in most of the villages. In some tahsils we find a dispensary. . .

The Hon'ble the President: But the Hon'ble Minister does not disagree to this. Does he?

Rai Bahadur Vikramajit Singh: I do not think that he disagrees. What we really want to insist on the Government is that they should provide more funds for medical relief. That is our object.

The Hon'ble the President: With that the Hon'ble Minister agrees and then there is no point for debate. He only wants funds.

Rai Bahadur Vikramajit Singh: This is more, I think, for the Finance Department than for the Hon'ble Minister. The non-official members of this Council are insisting that money is found for many other objects but not for medical relief in the rural areas. I wish to urge upon the Hon'ble the Finance Member and the Government as a whole to try to find more money for medical relief. We do not blame the Hon'ble the Minister for not finding money; he alone cannot do it; it is really the lookout of the Government.

The Hon'ble the President: There is no difference of opinion between the Hon'ble Minister and the honourable members. Why should not the House give a verdict on this question now?

Rai Bahadur Vikramajit Singh: I shall not take the time of the House. I think the non-official members of the House are unanimous in supporting the motion that more money ought to be found for giving medical relief in rural areas.

Lady Kailash Srivastava: Sir, I had no intention of speaking on this subject but I find I must say a few words. First of all I must congratulate the honourable mover for championing the cause of the villagers. I hope the Government will find money to give medical relief to these poor villagers. They are very badly neglected indeed and I am sure we all sympathize with them. The Government always runs out of pocket when money is required for any useful purpose of the country. With these few words I give my whole-hearted support to the motion before the House.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Sir, I was really suprised to hear the reply of the Hon'ble the Minister, and I think that he did not catch my words properly. I did not suggest that they should draw up a scheme by which there should be one dispensary for every five villages, but what I said was that in the Punjab they have one dispensary within the radius of 5 miles in rural area. In this province we have scarcely got a dispensary per 50 or 60 villages and even those are not well equipped, adequately staffed and properly housed. How is it possible to give proper medical relief to the poor patients in the rural areas under these circumstances? The Hon'ble the Minister reminded us that we were the custodians of the public funds. I am sure the Hon'ble the Minister agrees with me that it is our bounden duty to look after the health of the inhabitants of these provinces and to provide them with as much medical relief as we can. My friend Shaikh Habib-ullah Sahib said that I woke up at the last stage and that there was very little hope of getting my proposal translated into action. I can assure him and the House that this is the proper time for putting forward such a suggestion as a committee for determining the distribution of the district board finances is appointed by the Government. My point is that a portion of the income of the district and municipal boards should be earmarked for medical purposes. So if this question is referred to that committee then it will be in a position to make recommendation whether it should be obligatory upon the district and municipal boards to earmark a certain portion of their annual income for providing medical aid to the rural population. At present they are spending far too little for this purpose. Not only that, but I wish to emphasize that the Government too should earmark a certain portion of their land revenue for providing medical relief in the rural area. The revenue is chiefly realized from the cultivators and it is the primary duty of the Government to take their needs into consideration and to provide adequate medical relief to them. They should earmark at least one per cent. of the land revenue for that purpose. Sir, I hope the Hon'ble

[Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan] the Minister will see that the recommendations which are made by this House are accepted by the Government. In this connexion I want to cite an instance. Under the same head last year a out of one rupee was passed in this House and it is written on page 201 of the Detailed Estimate that the original provision of Rs.7,204 had been reduced by the Council to Rs.7,203, and the Government have this year also provided the same sum of Rs.7,203 instead of Rs.7,204 and thus they have met with the wishes of the Council literally. It is their duty to provide medical relief in rural areas. I hope that in this respect Government would see that they respect our recommendations in letter and spirit both. With these words I commend my motion to the acceptance of the House, that more money should be provided for increasing the number of dispensaries and make them properly housed and better equipped.

The Hon'ble the President: What is the issue before the House?

Khan Bahadur Haji Muhammad Obaid-ur Rahman Khan: The issue is that more money should be given to local bodies for providing adequate medical relief in rural areas.

The Hon'ble the Minister for Local Self-Government: Sir, it is hardly necessary for me to rise again but for the speech of my friend the Leader of the Democratic Party. He is right when he says that the medical relief in rural areas is not sufficient. I am entirely at one with him. I do recognize that more medical aid should be given in rural areas and to this problem we must now devote our attention and concentrate on, but I cannot say that we can embark upon ambitious schemes. I say I shall be prepared to go ahead with any scheme if funds are available. What I want the House is to realize the financial limitations of this province. If money can be found anywhere I shall be too delighted to go ahead with this scheme. I have always accepted that we should do something for the people in the rural areas. No doubt the question of medical aid in rural areas is a very big problem which requires serious consideration. We cannot possibly improve the situation without funds. We cannot solve the problem with allopathic system alone. We shall probably have to bring in the aid to a large extent of the indigenous system of medicine. Without that it will be impossible to face this huge problem of medical aid in rural areas. Therefore it is a very big question no doubt and we have to apply our minds and look at the problem in its proper bearing and see to what extent and how we can solve the problem. I must make it clear that I am entirely at one with the honourable mover of this motion that more money should be spent on medical aid in rural areas. Whatever funds are available must be utilized to a very great extent for the purpose of helping the people in the rural areas. That is all I wanted to say. I assure my honourable friend, the mover of this motion, that I am not at all opposed to this motion.

Raj Rajeshwar Bali: Will the Hon'ble the Minister kindly explain whether any portion of the money which is spent on rural uplift is devoted to the advancement of medical relief to rural areas?

The Hon'ble the Minister for Local Self-Government: Yes, to a certain extent; that is on the Public Health side.

Rai Rajeshwar Bali: What about medical relief?

The Hon'ble the Minister for Local Self-Government: It is a kind of medical relief through the agency of the Public Health. The medical relief is provided in ordinary ailments, etc.

Nawabzada Muhammad Liaquat Ali Khan: On a point of personal explanation.

The greater portion of my speech was meant for the benefit of the whole Government, of which the Hon'ble the Minister for Local Self-Government is the mouthpiece at the present moment.

Rai Rajeshwar Bali: May I know if it is a fact that as complained by my friend, Mr. Prem Ballabh Belwal, even those district boards which wanted aid on the grant-in-aid basis were refused grants by the Government?

The Hon'ble the Minister for Local Self-Government: There may have been some cases when grants were refused, because funds were not available. If funds are available, I shall be only too delighted to give grants as far as possible.

The Hon'ble the President: The honourable member has already stated the issue before the House on which he seeks a verdict of the Council.

The question is that with that object before the House a reduction of Re.1 be made under sub-head B—Hospitals and dispensaries—(d) Contributions to Local Bodies.

The question was put and agreed to.

Rao Sahib Thakur Shiva Dhyani Singh:

راؤ صاحب ٹھاکر شیبہ دیان سنگھ —
جناب پریسیڈنٹ صاحب - آج میں کونسل کے اندر ایک بڑے مصالح کے ساتھ داخل ہوا تھا لیکن میرے ممبران میڈی بارٹی کے لیڈر نے میرے points کو مجھ سے چھین لیا لہذا میرے پاس کوئی چیز باقی نہیں رہ گئی سوائے اس کے کہ میں ایک عرض کروں -

The Hon'ble the President:

پہلے آپ اس کی تحریریک تو ملاحظہ کیجئے -

Rao Sahib Thakur Shiva Dhyani Singh: Sir, I beg to move that under sub-head B—Hospitals and dispensaries—(d) Contributions to Local Bodies, a reduction of Re.1 be made.

تو جو مصالح میں اس کے متعلق لایا تھا -

The Hon'ble the President:

مصالح ہو چکا اب اگے کہئے -

Rao Sahib Thakur Shiva Dhyani Singh:

چونکہ کام بہت زیادہ ہی لہذا بوجہ اس کے کہ وقت ضائع نہ ہو میں صرف ایک لفظ کہہ کر خاموش ہو جاؤنگا - جس کو نوابزادہ صاحب مجھ سے نہیں

[Rao Sahib Thakur Shyam Dhyani Singh]

چھین ستر ولا یہی ہے کہ
 لائبریری حیاتیات انسانی فضا ہے چاہیے اس کے
 دیات والے ایسی خوشی آئے نہ ایسی خوشی چلے
 لہذا جناب Rural area کو جو مصیبت ان اوکل بودینہ help نہ دینا
 پیدا ہوتی ہیں اور طبی امداد نہیں ملتی ہے۔ اس کے واسطے گورنمنٹ خیال کرے۔
 وہ غریب بے موت نس طرح سے ضائع ہوتے ہیں جس کے واسطے کوئی آن کا کرنے
 والا بھی پیدا نہیں ہوتا۔ البتہ وہ بڑے بڑے امیتاب جو ایذا علاج بذریعہ
 موٹر گاڑوں کے جیسا کہ ابھی ہوئے میں کیا گیا تھا کہ بڑے بڑے ایک حب بیمار
 ہوتے ہیں تو موٹر میں ددرائی میں۔ داکٹر آتے ہیں لیکن جب وہ غریب جھونپڑی
 کا رہنے والا جس کے یہاں مٹی کا چراغ جلتا ہے۔ جس کے جوئے پھر۔ کہوے
 میلے۔ جس کی جھونپڑی پھر پھوس ہیں۔ کبھی اُس غریب کے علاج کا بھی
 خیال کیا جاتا ہے۔ آج وہ وقت ہے جب یہہ کونسل گورنمنٹ پھر زور دے
 جیسے کہ گورنمنٹ اور دوسری باتوں پر خرچ اخراجات کرتی ہے مہربانی فرمائیے
 وہ اُن پر یہ بستہ ہے رہنے والوں کا بھی خیال اپنے دل میں رکھئے کیونکہ اُن کی
 بہبودی سے گورنمنٹ قائم ہے۔ آپ کی back bond وہ ہے agriculturist
 دیہاتی طبقہ ہے جس پر آپ کو زیادہ ناراں ہونے کی ضرورت ہے۔ لہذا میں
 روشن آپ کے سامنے پیش کرتا ہوں *

The Hon'ble the President: The motion is out of order here.

***Mr. C. Y. Chintamani:** Sir, I beg to move that under sub-head B—Hospitals and dispensaries, (c) Scheme for training compounders, a reduction of Rs.10 be made.

A reference to this scheme is made in the report of the Unemployment Committee. I will ask the Hon'ble the Minister to turn to page 63 of the Report. The Committee say, "While we are on the subject of Medicine we should like to point out that there is no separate provision in these provinces for instruction in Practical Pharmacy." The Principal of the Medical School, Agra, has informed us that: "There is a course of instruction in Practical Pharmacy for the second year students of the Agra Medical School extending over a period of three months. This training is only given to medical students at the School." Rai Bahadur Dr. B. N. Vyas, Head of the Department of Pharmacology, King George's Medical College, Lucknow, has informed us that there is no provision for teaching Pharmacy as a separate subject either at the King George's Medical College or at the Medical School except in a limited manner as part of the subject of Materia Medica, conforming to the needs of a medical practitioner, and six demonstrations are given in Pharmacy as a part of the course of study for Materia Medica in the King George's Medical College."

The Committee then proceeded to state the position as it obtains under the Pharmacy Acts in Great Britain, and then in paragraph 140 of their report they express this opinion:

"We are of the opinion that some provision should be made for separate training in Pharmacy as a career by itself. It should provide

* The honourable member has not revised his speech.

a source of employment to a fairly a large number of our young men who may not be qualified for, or who may not have the necessary means for higher medical education. We have heard from some medical gentlemen that all that represents Pharmacy in these provinces in ordinary towns consists of the class of compounders with scarcely any efficient technical knowledge or training."

Next the Committee bring to light the fact that the subject has been dealt with at great length in the report of the Drugs Enquiry Committee presided over by Lt.-Col. R. N. Chopra, Professor of Pharmacology, School of Tropical Medicine and Hygiene, Calcutta. Col. Chopra and his Committee came to the conclusion that the weight of evidence before them was decisively against the competency of the present day compounders. "We are convinced", Col. Chopra and his colleagues wrote, "that acute dissatisfaction is felt by the public and the medical men all over India in respect of the profession of pharmacy in general and of the work of the compounders in particular. The reason for this is not far to seek when it is remembered how intimately connected the profession is with the health and well being of the people at large. We have no doubt that the condition of the profession is deplorable and its degenerate state cannot be exaggerated or over-emphasized. There is no pretence at the cultivation of the science of pharmacy as such. Pharmacutists of the western type who are conversant with the science of pharmacy and are able to carry on the duties of manufacturing and analysing drugs have not received recognition as a class. The mere compounders who mechanically carry on the art of dispensing have neither the general education nor the special training to besit them for the efficient discharge of their responsible duties. It is no wonder that they are found wholly unequal to their work. The surprise is how they carried on thus far and how their condition and work failed to attract earlier notice or eluded vigilance and reform until now."

The Sapru Committee have gathered from the same report that in the United Provinces a scheme for the training of compounders has been started since January 1928, in six different centres of the Province, namely Allahabad, Benares, Lucknow, Agra, Meerut and Bareilly. The minimum educational qualification enjoined is a pass in the VIII class of a recognized English school and the training to be undergone is for a period of ten months. In view of the standard laid down in England and the condemnation of the present system in India by Lt.-Col. Chopra in his report, the Sapru Committee think that the scheme is wholly inadequate and cannot attract young men with better qualifications or provide them with decent means of income. As Lt.-Col. Chopra and his committee have pointed out in almost all the countries in the Continent of Europe, Italy, Norway, France, Sweden, dispensing is reserved exclusively to the qualified people and a very high standard of training is maintained. The Sapru Committee see no reason why we should not aim at the same standard and make suitable provision for education in this subject, with a view to opening out avenues of employment for our young men.

(Mr. C. Y. Chatterjee.)

They therefore have recommended:

(1) that the system which has been in vogue in these provinces since January 1928, for the training of compounders, is, in our opinion, wholly inadequate and falls short of the standards suggested in Colonel Chopra's report;

(2) that provision should be made for the training of men in Pharmacy and the necessary qualifications should be prescribed by rules and regulations for those who may seek such education, and that after an examination held by a duly constituted authority the successful candidates should be granted a diploma;

(3) that in future, Government should employ qualified men in their hospitals and dispensaries, such qualified men as Pharmacists;

(4) that suitable legislation should be passed organizing this profession, providing for education, examination, and the grant of diploma, and penalizing the employment by private agencies of unqualified men.

I would ask the Hon'ble Minister what attention, if any, he has given to this subject either before or after the publication of the Sapru Committee's report, at least after a discussion of that report in the Council and the general approval that has been accorded to it by members of all shades of opinion in this Council. I should like to hear from him a statement of his intention with regard to the action that he contemplates in accordance with the recommendations of this Committee.

The Hon'ble the Minister for Local Self-Government: All I can say off-hand is that nothing will give me greater pleasure than to consider that recommendation of the Sapru Unemployment Committee. We are all anxious to explore all possible avenues for getting employment for our young men, and I assure him that I shall not be slow in doing so. Having said this much I may inform him that this recommendation has not been considered at all by the Government. We shall consider it, I suppose, at no distant date and the recommendations concerning Medical department will receive very careful consideration. I am prepared to examine them and see to what extent it is possible for the Government to carry out such recommendations.

I may point out that so far as the training of compounders is concerned at present, the Inspector General of Civil Hospitals thinks that the present needs are served by the present trained compounders who are trained at the six centres of sadar hospitals. But if any further improvements can be made in any direction that can obviously be considered and decided upon, I repeat again that the recommendations of the Sapru Committee will be considered as a whole and in that connexion I shall examine this question of training compounders also and see to what extent it is possible for the Government to meet the wishes of my friend the mover of this motion.

***Mr. C. Y. Chintamani :** The Hon'ble the Minister's statement is utterly unsatisfactory in so far as it has made clear that up to this moment he has not bestowed a moment's consideration upon the recommendations of this committee. Its report was published in the month of January, it was discussed in this House at the beginning of this month. I should have thought that the Minister in charge of so important a department as Medical would at least have acquainted himself with the recommendations and the reasons therefor and formed some conclusions on the merits and advisability of those recommendations. It is a pity that the Hon'ble Minister's speech shows that the expectation has not been fulfilled. With regard to future he has said in general terms that all of us are anxious that every avenue will be explored dealing with the problem of unemployment. This has become a commonplace phrase, the repetition of which is not calculated to inspire confidence unless it is accompanied by a more cogent statement of the intentions with regard to the actions proposed to be taken. There is a difference between opinions and ideas, and intentions and purposes. I am quite willing to concede that the Hon'ble Minister has opinions and ideas of a general sort of way. But his speech does not show that he has any, and if he has, what purposes and intentions. He has not said when he intends to examine the recommendations of the Committee with reference to this particular recommendation to which I have drawn attention. In what time his examination will be completed and what action he proposes to take thereafter. The complaint is that that training is given to very few and it is very superficial and wholly inadequate. The suggestion is that better arrangements should be made on the lines indicated by Colonel Chopra and his committee which have been adopted by Dr. Sapru and his committee. The Hon'ble Minister has spoken of the present needs. I declare that this need of training of compounders is a present need, an important need and an imperative present need. I declare further that it is unlikely in the least degree that it will cost an impossible amount of money, such that the plea of want of funds can be legitimately pleaded in connexion thereof. I should like the Hon'ble Minister to give me a more definite assurance intended to inspire more confidence that some early action is likely to be taken.

The Hon'ble the Minister for Local Self-Government : Sir, when I said that I have not considered the recommendations of the Sapru Committee I meant that obviously we cannot consider these things piecemeal. The whole report has got to be considered by the Government. We have got to see what steps can possibly be taken in each department and with what financial consequences. It is not possible for me here and now to give any undertaking. All I can do—and I think the honourable member will admit this—is to consider it and see to what extent it is possible for me to carry out the wishes of my friend and the Opposition. That is all I am in a position to say. I cannot say that it is possible for me to accept this recommendation or not to accept it. He will recognize that until the whole Sapru report is considered by the Government and until the Government have come to a definite decision it is not possible for me to make any definite statement on the

* The honourable member has not revised his speech

[The Hon'ble the Minister for Local Self Government] floor of this House. I repeat again that I shall be only too glad to consider the recommendations of the Sagar Committee and see to what extent it is possible for me to carry out the recommendations. That decision I can come to only when the whole report has been considered by Government.

Mr. C. Y. Chintamani: Will the Hon'ble Minister do so at an early date?

The Hon'ble the Minister for Local Self-Government: I hope this question will be considered by Government early and it will be possible for me to tell my friend when the Council is in session next what steps we propose to take.

The motion was, by leave, withdrawn.

Pandit Prem Ballabh Belwal: I beg to move that under sub-head B. Hospitals and dispensaries (a) Special dispensaries on Pilgrim Routes (Health scheme), Garhwal, a reduction of Rs.1 be made.

I am doubtful whether I could criticize the activities of those responsible to spend this sum. However, I will confine my remarks to the necessity of increasing the allotment for this purpose. As the scheme is controlled by the Public Health department, I will simply request the Government to allot more funds. The present allotment of Rs.32,000 is quite insufficient to cope with the work that has to be done throughout the length and breadth of the pilgrim route. Every year over a lakh of pilgrims go to visit Badri Narayan and they go from all over India. It is therefore, our duty and it is the duty of the Government to look to their comforts and provide proper sanitation and medical aid to people who go to visit Badrinath from far and near and particularly to those who go there from outside our province. The Government aid for this purpose is very small and if we take into consideration the number of pilgrims, it does not come to even four annas per head. There are hundreds of halting stations where sanitary work has got to be done and necessary staff and sweepers, etc., have got to be provided.

The Hon'ble the President: This item has nothing to do with sweepers. That is under the Public Health budget.

Pandit Prem Ballabh Belwal: I am simply making my case for an increased allotment by showing that we want to engage and that it is necessary to engage more hands.

The Hon'ble the President: We are only concerned here with Special Dispensaries and not with sanitation.

Pandit Prem Ballabh Belwal: There are very few dispensaries on this route maintained by the Government. There are of course four or five dispensaries which are maintained by the Almora and Garhwal district boards and those dispensaries cannot accommodate the large number of patients who go there for treatment or who want to remain there as in-door patients. There are no facilities for taking them as in-door patients and at times these pilgrims are put to great inconvenience. When they are very ill and cannot proceed further, it is very difficult for these local boards to provide a room for them. So it is very

necessary that there should be accommodation in some wayside hospitals or dispensaries where they could be taken in as in-door patients. I have seen for myself that in the District Board dispensary at Ramnagar, where a large number of pilgrims visit every year on their way back the number of indoor patients is such that the dispensary cannot accommodate them, and so they have to lie in the open or take a house in the bazar with the result that they are put to a lot of inconvenience. It is for the Government to see that these pilgrims who cover long distances are afforded medical facilities on their way so that they may be able to return home safely. In the present circumstances due to the lack of proper medical aid, most of them suffer badly and their disease is unnecessarily prolonged. I would therefore request the Government to provide better medical facilities for the pilgrims by providing more funds at the disposal of Public Health Department there.

The Hon'ble the Minister for Local Self-Government: I regret very much that I have not been able to follow the speech of the honourable member. But I think I have caught his point. He wants better facilities for pilgrims on the pilgrim route.

The Hon'ble the President: The honourable mover wants the number of dispensaries on the pilgrim route to be increased, and he also wants larger accommodation in the present dispensaries. These are his two points.

The Hon'ble the Minister for Local Self-Government: I have every sympathy with this laudable object of the honourable member. All that I can say is that I shall be prepared to examine the position, and if funds are available, I shall be only too glad to do what I can to provide better facilities in the way the honourable member wants. Obviously he cannot expect me to commit myself to any definite position, because unless I know in detail what the requirements are and to what extent it is possible for the Government to meet them, it is not possible for me to give any definite undertaking. But I assure him that to the extent it is possible I shall be only very glad to provide facilities to the pilgrims on the pilgrim route.

The motion was, by leave, withdrawn.

***Mr. C. Y. Chintamani:** I beg to move that under sub-head B—Hospitals and dispensaries (g)(i)—Grant to Lucknow University for the maintenance of King George's Hospital, a reduction of Rs.10 be made.

My object in making this motion is again to invite attention to a recommendation of the Committee on Unemployment. I would ask the Hon'ble Minister to turn to page 67 of the report. In paragraph 143 the Committee discuss the absence of an institution for training young men in Dentistry anywhere in these provinces. It appears from the evidence of Dr. Vyas before the committee that proposals for the establishment of a School of Dentistry in King George's Medical College have been pending before the Government. They have, however, been held up for want of funds. The Committee say—

*The honourable member has not revised his speech.

[Mr. C. Y. Chintamani]

"Several medical gentlemen whom we have examined think that there is a very fair scope for men trained in scientific Dentistry in these provinces and it is time that they displaced some of the quacks who having served as assistants to some Dental Surgeon set up as independent Dental practitioners and sometimes are responsible for incalculable injury to the innocent patients. The Principal of the Medical School, Agra, is also of the opinion that if training in Dentistry could be given to young men, it would be highly beneficial and would certainly bring a decent income to young Dental practitioners. This is also the view of Major D. R. Ranjit Singh, Rai Bahadur Dr. R. N. Banerji, and Dr. Jairaj Behari"

Shaikh Muhammad Habib-ullah : Sir, I wish to raise a point of order. Sir, I raise this point of order in order to save time. The subject about which Mr. Chintamani is talking does not relate to the Hospital. It relates to the Medical College which is under the Education.

Mr. C. Y. Chintamani : The point I am talking about relates to King George's Hospital.

Shaikh Muhammad Habib-ullah : The budget of King George's Medical College is under Education Department.

Mr. C. Y. Chintamani : I am dealing with (g)(i)—Grant to Lucknow University for the maintenance of King George's Hospital.

Shaikh Muhammad Habib-ullah : That is not for training but for medical purposes.

Mr. C. Y. Chintamani : I do not know for what other purpose it can be.

Shaikh Muhammad Habib-ullah : It is for patients and for such other things.

Mr. C. Y. Chintamani : Sir, you may rule whether I am in order or not.

The Hon'ble the President : I am afraid I have not been able to follow the honourable member.

Mr. C. Y. Chintamani : Sir, I was quoting from the Sapru Committee's report relating to a School of Dentistry in connexion with the King George's Medical College. It is a grant to the Lucknow University.

The Hon'ble the President : Will Shaikh Muhammad Habib-ullah kindly say whether there is a Dentistry Section in the King George's Hospital?

Shaikh Muhammad Habib-ullah : No, Sir ; the Doctor himself belongs to the Medical College and not to the Hospital.

The Hon'ble the President : I think there is a good deal in what Shaikh Muhammad Habib-ullah contends.

Mr. C. Y. Chintamani: Sir, should I proceed or not?

The Hon'ble the President: If it is a question connected with the Medical College, the Medical College is in the Education budget. We are concerned here with the King George's Hospital. If the honourable member will bring his observations within the grant to the King George's Hospital, then he will be in order.

Mr. C. Y. Chintamani: Anyway, Sir, before the point was raised I had nearly said what I wanted to say. Therefore it is immaterial whether I am allowed to proceed further or not.

Rai Rajeshwar Bali: Sir, there is another point to which I wish to draw the attention of the Hon'ble Minister in connexion with the King George's Hospital

Mr. C. Y. Chintamani: Sir, has my motion been held in order?

The Hon'ble the President: The honourable member has finished his observations and now Rai Rajeshwar Bali is speaking. I do not quite understand the interruption.

Rai Rajeshwar Bali: There has been a scheme for the equipment of the X-ray section of the Hospital on the basis of a provincial institute for training medical graduates in X-ray work. I need not say that this training in X-ray work will be of great advantage to the students of that College. We know that X-ray is gradually becoming very important both in the diagnosis and the treatment of diseases. The allopathic doctors have now to depend much more for the diagnosis on the reports of the X-ray examination. It is therefore extremely desirable that the X-ray installation in the King George's Hospital should be strengthened, and that it should be made a sort of provincial institute for training doctors in X-ray work. I learn that there was a scheme for keeping that section, and it was sanctioned by Government; but it has been held up year after year for want of funds. I would urge upon the Hon'ble Minister that he may take the trouble of finding funds for this very desirable object in some way or the other. After all, it is not an ambitious scheme in the words of the Hon'ble Minister. It requires only a non-recurring grant of a few thousand rupees. If he makes an effort, I hope that he will be able to find funds for the equipment of this section.

Another point, which I wish to urge on the Hon'ble Minister in this connexion, is that those graduates of the Medical College who take a special course in X-ray work should be given encouragement in some form or the other, for instance, they may be given some sort of preference, while selections are made for the Provincial Medical Service, in order that they may take up this very desirable and necessary course. I know that if Government only express some desire like this, there would be any number of students who would be prepared to take up an extra course in X-ray work, and thus equip themselves better for discharging their duties when they get Government employment or set up in practice. I learn that in a number of districts there are X-ray installations, and until lately there was an institute at Dehra Dun which

[Rai Rajeshwar Ball]

used to train doctors in X-ray work, but I now hear that that institute has been abolished. Therefore the King George's Hospital is the only place left where doctors can get training in X-ray work. Therefore I hope that the Hon'ble Minister will be able to find some money for strengthening this department and thus encouraging those who take up a course in X-ray to do so.

Lastly I would just add one word to the observations made by my honourable friend on the left, if I am in order to do so.

The Hon'ble the President: That point should be left untouched now.

Rai Rajeshwar Ball: Very well, Sir. I would then confine myself to what I have already said; and hope that the Hon'ble Minister will be able to give me an encouraging reply.

Shahk Muhammad Habib-ullah: I entirely agree with my friend, Rai Rajeshwar Ball, when he says that there is a great need for the expansion of the X-ray plant, and for providing more accommodation in the Hospital in the X-ray section. We had a scheme, and that scheme also included the strengthening the staff a bit and for having more apparatus in order to be able to expand the work of the X-ray Department. As remarked by my friend, X-ray at Lucknow has become now a sort of provincial institution. There is hardly enough accommodation for the training of our own students who attend the hospital every day for practical work. I remember that only last month we were placed in an awkward position when we found that the X-ray photographer, who was getting Rs.30 per mensem had resigned because he wanted more pay and no funds were available. There is no doubt that the amount allotted for the X-ray Department is very little to meet even the present situation, nothing to say of any expansion in the future. Nowadays X-ray is acknowledged to be a real necessity. For diagnosis of diseases patients come from outside stations and even members of the medical profession from outside wish to come to learn the X-ray work. It is therefore necessary that the Hon'ble Minister should exert his influence with the Finance Department and secure more money for it. I do not wish that the Hon'ble Minister or those in charge of the Finance Member should be placed in a position to need the services of the X-ray Department, but I know it for a fact that whenever a high official had to go to the X-ray Department, further additions were made to it. There is no doubt that it is one of the greatest needs of the moment.

The Hon'ble the Minister for Local Self-Government: Sir, I am entirely at one with my friend the mover that there should be arrangements for training medical graduates in X-ray work and that radiologists should be appointed and that students should be trained in Radiology. In fact we had a scheme included in the schedules but it was cut out. I do hope that it will be possible in future to find funds to give effect to the wishes of my friend the mover.

Rai Rajeshwar Ball: What about encouraging post-graduate students to take it up? Will the Government take steps to encourage students to take it up as a post-graduate course?

The Hon'ble the Minister for Local Self-Government : No doubt any such qualification will be an additional qualification. Beyond that I cannot give any undertaking because no preference can be given to a student who is trained in Radiology over other highly qualified students.

The motion was, by leave, withdrawn.

Raja Jagannath Bakhsh Singh : Sir, I beg to move that under sub-head C—Grants for medical purposes—1. Indian Nursing Association, a reduction of Re.1 be made.

I see, Sir, that there is a provision of Rs.500 for making a grant to some Indian Nursing Association. In the first place I would like to know what is the object of giving grant to this Association. I take it that it may be to encourage the training of Indian nurses in these provinces. If that is so, I would like to point out that the provision is too small. In case the object is a different one, I would bring to the notice of the Government that there is great want of Indian nurses not so much in larger cities like Lucknow as in the small towns. There is perhaps no adequate provision for the training of Indian nurses. I would, however, look to the enlightening speech of the Hon'ble Minister before I make my further observations on the subject.

The Hon'ble the Minister for Local Self-Government : I cannot reply to this question off-hand. I think this is the Indian Nursing Association which trains nurses, but if my friend wants further details, I shall be able to furnish them in a minute.

The Hon'ble the President : Why does not the Hon'ble Minister ask Col. Buckley to reply?

The Hon'ble the Minister for Local Self-Government : This grant is meant for the payment of rates and taxes of the residential buildings of the Nurses Association at Naini Tal, called the Lady Minto Association.

Raja Jagannath Bakhsh Singh : I hope the question of training Indian nurses will be given due consideration by the Government. My object is not so much to bring to the notice of the Government this paltry grant of Rs.500 as to know how this grant is spent. I think the Government should provide better facilities for the training of Indian nurses than they at present do. I dare say the Government have given thought to this question and I hope the Hon'ble Minister will be able to give me a more satisfactory reply than his usual reply of two words "No funds". If the Government cannot give a proper reply as to how it is spending the tax-payers' money it is no use discussing these grants. I think this one uniform reply "No funds" will not be considered satisfactory by the House, and I hope the Hon'ble Minister will be able to convince the House that the Government is doing something to encourage the training of Indian nurses. I will not repeat, Sir, that medical treatment loses half its value if proper nursing is not available. Nursing goes further than mere medicine and medical advice. Consequently if all the money is spent on medicine and other such medical relief without adequate arrangement for nursing, half of it is lost. I particularly wish to draw the attention of the Government to this very important matter and I hope the Hon'ble Minister will be able to satisfy me.

The Hon'ble the Minister for Local Self-Government: I think my friend has raised this point under a different head; he should have raised this question under another head.

The Hon'ble the President: Under what other head?

The Hon'ble the Minister for Local Self-Government: For example, District Fund. The training of nurses is entirely financed from the District Fund. I entirely agree with him that there is a great need for training nurses. This is one of the most important things and he is rightly emphasizing the importance of it. I shall be very glad indeed to do all that lies in my power to encourage the training of nurses, whether they belong to the rural areas or whether they belong to the urban areas. Some training is actually carried on at King Georges' Hospital. Facilities are also provided through District branches for training nurses in rural areas. He is quite right that more encouragement must be given for training a larger number of nurses for the needs of the rural areas. I hope funds would be available. As, however, the budget stands at present there are no funds, but if we get more funds, nothing will give me greater pleasure than to allot more funds for the training of nurses.

Raja Jagannath Bakhsh Singh: If funds are made available, have the Government any schemes in their contemplation?

The Hon'ble the Minister for Local Self-Government: Yes, there is a definite scheme under Public Health and Child Welfare.

Raja Jagannath Bakhsh Singh: But I am speaking of the training of Indian nurses.

The Hon'ble the President: The Hon'ble Minister says there is a scheme, but under another head.

Raja Jagannath Bakhsh Singh: May I take it that it is not in the head of the Government also?

The motion was, by leave, withdrawn.

Thakur Muneshwar Bakhsh Singh: Sir, I beg to move that under sub-head C—Grants for medical purposes—5. Development of indigenous system of medicine, a reduction of Re.1 be made.

Sir, we have always been pressing the need for improving the Unani and Ayurvedic systems of medicine on the floor of this House and we have been pressing every year that the grant under this head should be increased. Three or four years ago there was a provision of Rs.50,000 under this head, but now it has been reduced to Rs.34,500, so as a matter of fact when we the members of this House press for increasing the grant under any head, the fact is the reverse, that is, that grant is curtailed instead of being increased. Sir, we must give encouragement to the Unani and Ayurvedic systems of medicine. There are Vaid and Hakim in every part of the country and in every part of the district though there are very few allopathic practitioners in every district. So in those parts of the districts where there are no allopathic doctors or dispensaries within fifteen to twenty miles then in those areas Vaid and Hakim should be given subsidies

to distribute free medicines to the poor. That is the idea in my mind and I would request the Government to give grants to the Vaid and Hakims of the rural areas for the treatment of the poor. For this purposes I think a grant of Rs.34,500 is quite insufficient. It does not even come to Rs.1,000 per district; so I hope that Government will increase this grant and will not decrease it instead.

The Hon'ble the President: Will Mr. Chintamani speak on this motion or on his own?

***Mr. C. Y. Chintamani:** I wish to bring up the question of an inquiry into the medicinal value of herbs and drugs. I will speak on this motion if you want me to do so.

The Hon'ble the President: As you like.

***Mr. C. Y. Chintamani:** I will speak on this motion.

Sir, I wish the Hon'ble Minister to take steps for an investigation into the medicinal value of indigenous herbs and drugs. This question has been before the Government and the Council for many years. Of late the answers given on behalf of the Government have been slightly less inconsiderate and slightly more sympathetic than before. But I am not aware that any action has so far been taken. In the interval came to the knowledge of the public a very hostile opinion on the indigenous system of medicine recorded by the gallant officer who now generally inspects hospitals and dispensaries in these provinces, an opinion which he should have thought wise not to commit to paper in view of the enormous experience that has been gained of the value of the indigenous system of medicine in the treatment of diseases. I hope that the gallant Inspector General has since regretted the haste with which he recorded that opinion. In any case, I trust that the Government do not identify themselves with the point of view indicated by that opinion. If the Government do, they should abolish the Board of Indian Medicine and withdraw all assistance from it. If they do not, they should do two things. They should do much more to support Ayurvedic and Unani hospitals and dispensaries by increasing the grant placed at the disposal of the Board of Indian Medicine. Far from increasing it, they have reduced it. They should do something more, namely, to set on foot a competent investigation into the value of these herbs and drugs. This question was discussed by the Committee on Unemployment and they have said that one method of providing employment for medical graduates may be by encouraging a research of various indigenous drugs by experimentation and by starting industries for the manufacture of such Indian drugs as are recognized to be efficacious by competent medical opinion. It would also be necessary to standardize such drugs. The example of the Bengal Pharmaceutical Works started under the auspices of Sir P. C. Ray should be found to be encouraging. The Committee also drew attention in this connexion to a resolution moved in the Council of State by the Hon'ble Sir Nasarwanji Choksy at the September session. The Government of India were of the opinion that the problem was a provincial one and the Provinces felt unable to provide adequate funds to prevent the sale of

*The honourable member has not revised his speech.

Mr. C. Y. Chatterjee : The Committee was with a touch of irony, "We presume that the development of indigenous drugs also cannot be taken into consideration, but what we suggest is that Government may help those who may desire to start such an industry by placing at their disposal proper expert advice and if necessary by subsidizing them within certain limit." They wanted that an investigation should be made into the efficacy of the indigenous drugs according to modern methods and after the recognition of such medicines by the medical profession and their standardization, industries for the manufacture of such and other drugs should be started and if necessary subsidized at the initial stages.

I wanted to bring this to the notice of the Hon'ble Minister and to receive one more assurance from him that he had not yet seen it but would see it and consider it, I hope, Sir, within a reasonable time-limit.

Pandit Joti Prasad Upadhyaya : Sir, I rise to support the motion that has been moved by Thakur Muneshwar Baklesh Singh. A number of arguments were advanced by the Leader of the Democratic Party when we were discussing the grant given to local bodies for hospitals and dispensaries. I think those very remarks apply to this grant. I am in entire agreement with Thakur Muneshwar Baklesh Singh that the amount budgeted here for the development of indigenous system of medicine, viz. Rs.34,500 is much too little. It seems to me that the Medical Department of the Government is not at all keen on developing this system of medicine, which is perhaps the best for the needs of rural areas, and that the amount of Rs.34,500 is not at all adequate for meeting the very great demand for medical relief to the people of the villages. This amount should have been increased by thousands, but the Hon'ble Minister, I understand, is helpless and cannot do much and no body can blame him for it. But he can try and do something for increasing this amount. I am sure if he insists on the Finance Department to increase this sum his voice will be heard.

Shaikh Muhammad Habib-ullah : I am in entire agreement with the recommendation of the Sapru Committee which distinctly says that the medical graduates should be given opportunities to make research on the indigenous medicines. It further says that they should go and examine the drugs and try to standardize and improve them. If such is the object of the grant, I am absolutely in sympathy but if the question is brought in as regards the system of medicine, I do not agree. System means diagnosis, and on this point I have always held a different opinion. Unless we equip and develop the Ayurvedic and Unani pharmacy on their own lines we cannot improve the system. I am for the system which is a scientific system acknowledged by the world for the purpose of diagnosis. I very often use the Indian medicine, but the use is different from the system. So far as the demand goes for the purpose for which the Sapru Committee recommended, i.e. for the purpose of encouraging the medical graduates to make research into these indigenous medicines in order to develop the drugs, in order to

standardize them, I am for it, but when the demand is put down for the purpose of indigenous system of medicine I think it is absolutely wrong and it is not used for the purpose for which it is intended. I know that in the Education department they make a demand for the training in Unani and Ayurvedic medicine but this demand is really nothing unless used for the research work into the indigenous medicine by the medical graduates. Only for that I support it, otherwise I do not support it.

The Hon'ble the President : Is the honourable member supporting the motion or opposing it?

Shaikh Muhammad Habib-ullah : I am against the system.

Rai Bahadur Lala Anand Sarup : I beg to support the motion of Thakur Muneshwar Bakhsh Singh that the amount of Rs.34,500 for the development of indigenous medicine is very meagre. Sir, the systems of Ayurvedic and Unani treatment are very useful in this country and especially in the rural area. These systems suit them better. Formerly there were travelling dispensaries which used to go from village to village, but now they have been discontinued and the rural people of the interior villages do not get any relief or medicine. It is the hakims and vaidas whom these people go to for treatment, and Rs.34,500 which is meant to be given to vaidas and hakims is a very small sum. So this amount should be increased so that they may be able to prepare medicine and distribute them free to villagers. With these few words I support the motion.

The Hon'ble the Minister for Local Self-Government : Sir, I must at once make it clear that I am in absolute sympathy with the object of my friend the mover of this motion. We have always been anxious to increase the grant for the Indian Medicine Board so that they might be able to distribute it for encouraging indigenous systems of Ayurvedic and Unani. I assure him that I shall never be slow to increase the amount placed at the disposal of this Board if I can find funds. Let me hope that funds will be available and I shall be in a position to increase the grant placed at the disposal of the Indian Medicine Board.

Now, with regard to the question raised by my friend the Leader of the Opposition, namely, research of indigenous medical herbs, this is one of the recommendations of the Sapru Committee. I may inform him that some research work is being done in the Forest Department and the Education Department. Research work is also being done to a certain extent at the Hindu University. I repeat what I said before that I shall be only too glad to consider the recommendations of the Sapru Committee on this question. I am not in a position to make any commitment off-hand, but this question will be very carefully considered by me when the whole Sapru report is considered by the Government. That is all I can say on this point. I hope in view of what I have said my friend the mover of this motion will withdraw it.

[27TH MARCH, 1936]

Rao Sahib Thakur Shiva Dhyani Singh :

راؤ صاحب ٹھاکر شیوا دیان سنگھ
جناب پریسیڈنٹ صاحب - مسئلہ یہ ہے جس علاج سے عورت امراض حاصل
کرسکتی ہیں - میں گورنمنٹ کی رپورٹ میں جو Amrit Sahib کی طرف
دلانا چاہتا ہوں کہ زیادہ تر امراض وید اور حکیموں کو ملنا چاہیئے جو ایک ایسے
دو پیسے کے نسخہ میں بڑی بڑی بیماریوں کا علاج کرسکتے ہیں اس کے علاوہ
انگریزی دواؤں کی قیمت میں حیرت کی حد تک کم سے کم ۶ پیسے اور دو آدھ ہوتی ہی
لیکن ہمارے ہندوستانی نسخہ جات کے تمام نسخے ایک ایک پیسہ یا دو پیسے ہوتا
ہے - مثلاً عام طور پر نزلہ کے نسخہ میں ان کے واسطے تو گورنمنٹ کے
انگریزی ڈاکٹر کہہ دیتے ہیں کہ نزلہ تو عام ہے یہاں کوئی دوا نہیں - ہندوستانی
علاج کے اندر نزلہ کے جو نسخہ جات ہیں وہ سدا ہاں ہیں لیکن میں ہوس ہی
information کے ایثار ایک نسخہ نزلہ و منہ و طبی دانست کا پیش کیئے دیتا
ہوں - اس نسخہ میں عام پیسے بھی نہیں لکھ اور معجزہ بھی نہیں ہے کہ آپ اس
کو باک کراینگے *

The Hon'ble the President :

Rao Sahib Thakur Shiva Dhyani Singh :

یہاں کوئی مہربانی نہیں ہے -
جناب عالی سب سے پہلے چار بانی سے آئندہ ضرور بات سے ناخبر ہو کر صاحبان
دائن کلی کہتے ہیں اس میں وہ بڑے غلط کہتے ہیں کہ اول مرتبہ ان کی آنکلی
بائیں طرف کو جاتی ہے اگر آپ صاحبان داہنی طرف آنکلی پھیریں تو بہت
رکھلے ۸۵ یا ۹۰ فیصدی نزلہ نہیں ہوگا - نزلہ کے ایک عام شکایت ہے اور
معتد بہی اس سے بڑی تلیف رھتی تھی مجھے ایک بڑے طبیب نے جو خانپور
ضلع بلنڈشہر کے رہنے والے تھے آئندہوں نے یہ نسخہ بتلایا اب مجھکو نزلہ
بہت کم ہوتا ہے - تو جناب ان غریب طبیبوں کے پاس ایسے ایسے نسخے
نسخہ موجود ہیں کہ ہمارے ڈاکٹروں کو ان کی ہوا بھی نہ لگی لہذا میں ٹھاکر
منیشور بندش سنگھ کے کت -وشن کی تائید کرتے ہوئے اپیل کرتا ہوں کہ ان دین
اور حکیموں کی خاص طور سے امداد کی جارے جو دیہاتی پبلک کا علاج کم
قیمت کے نسخہ میں اور بلا کسی معاوضہ کے جلد کی طرح کردیئے ہیں وہ کوئی
نفس چاچ نہیں کرتے اگر ڈاکٹر کو بلائیگے تو اس کو فیس دینا پڑیگی لیکن اس
کا حکیم فیس بھی نہیں لیتا *

Captain Nawab Muhammad Jamshed Ali Khan : Sir, I entirely support the motion which is before the House. The Ayurvedic and the Unani systems, besides being more suitable to the temperaments of the general public are quite simple and most of the medicines are such as can be locally obtained and are so well known to the people of the local area. Therefore the money that is spent on this will be really usefully spent. I am also a great admirer of allopathic system and admit that the methods of diagnosis are most scientific and medicines are most effective, but my honourable friends will bear me out that it is far more expensive than the old Hindustani system of medicines. The money we have at our disposal is not at all sufficient to give even the nominal relief

[Captain Nawab Muhammad Jainshed Ali Khan]
to the rural areas. It was just pointed out by my friend Nawabzada Liaquat Ali Khan that the money allotted by the Government for medical help, if distributed to the population of these provinces it comes to only 4 annas per hundred per annum. That is an amount which we can afford to spend. If we spend more money on Ayurvedic and Unani systems of medicines, then we will certainly be able to give better and more help to the public than at present. My honourable friend Rao Sahib Shivadhyani Singh has just mentioned his *nuskha* for which no money is needed. I wish he may let us know some more *nuskhas* of this type for which no money is required. By doing so he would certainly do a great service to his king and country and solve this economic problem which is engaging the attention of every one of us, but I was simply amazed to find that he was supporting the motion that more money should be allowed under this head. I think what he means is that the Hindustani systems are such that in them there are even prescriptions which cost nothing. I wish that more money for these systems of medicine be granted and I am certainly of opinion that it would provide more relief and be a direct boon to the rural areas.

Thakur Muneshwar Bakhsh Singh: Every honourable member who has taken part in this discussion has supported me that there should be more money for this system of medicine except Shaikh Muhammad Habibullah Sahib who does not believe in this system.

Shaikh Muhammad Habib-ullah: You have misunderstood me.

Thakur Muneshwar Bakhsh Singh: He does not believe in this system of medicine because he has said that he has no faith in the Ayurvedic and Unani systems of medicine. I know many people who are rich and who can afford the costly allopathic treatment, but they too do not go to these doctors, and they prefer a vaid or a hakim in a case where medicine and not surgery is concerned. So I think that this system should be encouraged because it is cheaper.

With this view I press my motion.

The Hon'ble the President: The effect of pressing the motion would be to reduce the grant by Re.1 and not an increase at all.

Thakur Muneshwar Bakhsh Singh: Sir, I have stated the object of my cut.

The Hon'ble the President: I have told the honourable member what the effect of it would be : a poor vaid or hakim will suffer by Re.1.

The question is that under "Development of indigenous system of medicine," a reduction of Re.1 be made.

The question was put and agreed to.

STATEMENT BY THE HON'BLE THE FINANCE MEMBER REGARDING COURSE OF BUSINESS

The Hon'ble the President: The Hon'ble the Finance Member wishes to make a statement with regard to the course of business.

The Hon'ble the Finance Member: With your permission, Sir, I desire to make a brief statement with regard to the course of business. As at present arranged, one day has been allotted next month for non-official business, and it was proposed that this day should be devoted to a discussion of the report of the Delimitation Committee. But, Sir, as your honourable members will have seen, the draft Order in Council based on the report of the Delimitation Committee were laid before both Houses of Parliament five days ago; and in view of the anxiety of His Majesty's Government to press forward all the preliminaries necessary to enable the Government of India Act to be implemented as early as possible, I think there can be little doubt that the Order in Council procedure will be completed before the Easter recess, that is to say by the 8th of April at the latest. In these circumstances, Sir, a debate on the Delimitation Committee's report on the 6th of April next can hardly serve any useful purpose. His Excellency therefore, in his anxiety not to give honourable members the trouble of reassembling for a single day and in many cases performing lengthy journeys to and from Lucknow, has decided to omit this day from the present session and to add it as a non-official day to the session which we expect to hold in June at Naini Tal. He feels that, unless there is some urgent business pending, it will be better to omit this non-official day. The effect of this decision will be that tomorrow will be the last day of the current session; and I therefore mention it for the information of honourable members at once.

(The Council was then adjourned at 4.50 p.m. till the following day.)

LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH

Saturday, 28th March, 1936

THE Council met at Council House, Lucknow, at 11 a.m. The Hon'ble Sir Sita Ram in the Chair.

PRESENT (89)

The Hon'ble Mr. J. M. Clay.
The Hon'ble Kunwar Sir Maharaj Singh.
The Hon'ble Nawab Sir Muhammad Yusuf.
The Hon'ble Sir Jwala P. Srivastava.
Mr. H. Bomford.
Mr. J. L. Sathe.
Mr. A. B. Reid.
Mr. P. M. Kharegat.
Mr. A. A. Waugh.
Rai Bahadur Mr. Phul Chand Mogha.
Mr. A. C. Turner.
Mr. H. J. Frampton.
Mr. T. J. Egan.
Mr. Himmat Singh K. Maheshari.
Khan Bahadur Munshi Mushtaq Ali Khan.
Mr. Pratap Shankar.
Rai Bahadur Ram Babu Saksena.
Colonel H. C. Buckley.
Mr. J. H. Ritchie.
Mr. Vishnu Sahay.
Lac. Kailash Srivastava.
Khan Bahadur Maulvi Fasih-ud-din.
Rai Sahib Babu Rama Charana.
Mr. Perma.
Rai Bahadur Babu Awadh Bihari Lal.
Chaudhri Ram Dayal.
Chaudhri Baldeva.
Rai Bahadur Sahu Jwala Saran Kothiwalla.
Mr. Tappu Ram.
Raja Bahadur Kushal Pal Singh.
Chaudhri Ram Chandra.
Chaudhri Ghasita.
Chaudhri Arjuna Singh.
Rao Bahadur Thakur Pratap Bhan Singh.
Rao Sahib Thakur Shiva Dhyan Singh.
Rai Bahadur Kunwar Girwar Singh.
Pandit Joti Prasad Upadhyaya.
Chaudhri Dhira Singh.
Rai Bahadur Kunwar Dhakan Lal.
Thakur Balwant Singh Gahlot.
Rai Bahadur Babu Manmohan Sakai.
Kunwar Jagbhan Singh.
Rao Narasingh Rao.
Rai Sahib Ram Adhin.
Mr. Bhonduram.
Rai Govind Chandra.

Pandit Shri Sadayatan Pande.
Raja Sri Krishna Dutt Dube.
Rai Bahadur Babu Jagadeva Roy.
Mr. Dahari.
Rai Sahib Babu Adya Prasad.
Thakur Giriraj Singh.
Pandit Prem Ballabh Belwal.
Thakur Jang Bahadur Singh Bisht.
Rai Bahadur Thakur Hanuman Singh.
Rai Bahadur Lal Sheo Pratap Singh.
Thakur Muneshwar Bakhsh Singh.
Thakur Jaiendra Bahadur Singh.
Raja Jagdambika Pratap Narayan Singh.
Raja Ambikeshwar Pratap Singh.
Raja Birendra Bikram Singh.
Rai Bahadur Kunwar Surendra Pratap Sahi.
Mr. C. Y. Chintamani.
Rai Rajeshwar Bali.
Mr. Zahur Ahmad.
Syed Ali Zaheer.
Khan Sahib Sahibzada Haji Shaikh Muhammad Rashid-ud-din Ahmad.
Khan Bahadur Shah Nazar Husain.
Nawabzada Muhammad Liaquat Ali Khan.
Mr. Muhammad Rahmat Khan.
Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan.
Khan Bahadur Muhammad Hadiyar Khan.
Munshi Amir Hasan Khan.
Khan Bahadur Haji M. Nisar-ullah.
Khan Bahadur Shaikh Ghulam Husain.
Khan Bahadur Hafiz Ghazanfarullah.
Khan Bahadur Saiyid Jafer Hosain.
Khan Sahib Shaikh Afzal-ud-din Hyder.
Khan Bahadur Sirdar Muhammad Shakkirdad Khan.
Khan Sahib Muhammad Imtiaz Ahmad.
Shaikh Muhammad Habib-ullah.
Mr. L. M. Medley.
Rai Bahadur Lala Anand Sarup.
Chaudhri Muhammad Ali.
Rai Bahadur Lala Prag Narayan.
Raja Bisheshwar Dayal Seth.
Raja Jagannath Bakhsh Singh.
Rai Bahadur Vikramajit Singh.
Munshi Gajadhar Prasad.

Starred questions

ADVISORY BOARD OF THE NORTH-WESTERN RAILWAY

*1. **Rai Bahadur Lala Anand Sarup** (*absent*): Will the Government be pleased to state if they have received any reply from the Agent, North-Western Railway, about a representative of the United Provinces on the Advisory Board of the North-Western Railway? If so, will they place it on the table? If not, will the Government be pleased to consider the advisability of reminding him for an early decision?

The Hon'ble the Finance Member, (Mr. J. M. Clay): Yes. The Agent's reply, dated the 18th March, 1936, was that the matter was still under consideration and a reply would be sent as soon as a decision was reached.

The Government have been reminding the Agent and will continue to do so.

PAY OF MONEY-TESTERS AND ASSISTANT TREASURERS

*2. **Rai Bahadur Lala Anand Sarup** (*absent*): Is it a fact that the starting pay of money-testers in the Imperial, Central and Allahabad Banks is Rs.30 per mensem and an annual increment is given to them?

The Hon'ble the Finance Member: Government have no information.

*3. **Rai Bahadur Lala Anand Sarup** (*absent*): (a) Is it also a fact that the pay of assistant treasurers working in the branches under the same treasurer, like tahvildars of the Government Tahsils, is Rs.50 a month?

(b) If so, will the Government be pleased to consider the advisability of raising the revised minimum pay of a tahvildar in a tahsil to Rs.35 and that of a money-tester to Rs.30 per mensem?

The Hon'ble the Finance Member: (a) The question is somewhat vague, but perhaps the honourable member is referring to the pay of the assistant treasurers sanctioned for the sub-treasuries of Roorkee and Mussoorie. Roorkee was formerly a full treasury and Mussoorie, although a sub-treasury, was in the charge of a treasurer. The post of the Treasurer, Roorkee, was abolished in September, 1930, and that of the Treasurer, Mussoorie, in August, 1934. Since then the treasurers of Saharanpur and Dehra Dun are allowed to keep assistant treasurers at these places and are allowed Rs.50 per month for their remuneration.

(b) The above two treasuries entail far more responsible work than other sub-treasuries and Government see no reason to raise the pay of tahvildars and money-testers simply because the assistant treasurers at these two places are allowed Rs.50 per month.

PAY OF TAHVILDARS AND MONEY-TESTERS OF TREASURIES

*4. **Rai Bahadur Lala Anand Sarup** (*absent*): (a) (i) Is it a fact that the pay and leave allowances given by the Government to tahvildars and money-testers are paid to them and a certificate to this effect is signed and given by the Government Treasurer?

(ii) Is it also a fact that their leave, transfer and dismissal are to be with the approval of the District Magistrates?

(b) If so, why are they not treated as government servants and not given an annual increment like the others?

The Hon'ble the Finance Member: (a) (i) Since 1927 tahvildars and money-testers have ceased to be government servants and are the servants of the treasurers. But a sum equal to the amount that a treasurer has to spend on the tahvildars and money-testers is given to the treasurer in addition to his pay. There were some complaints that the treasurer did not pay the full salaries of tahvildars and money-testers which he claimed from Government and so the treasury officer is required to append to the bill every month a certificate as to the amount that has been actually paid to the tahvildars and money-testers by the government treasurer. It is probable that treasury officers obtain similar certificates from the government treasurer.

(ii) Yes.

(b) As the tahvildars and money-testers must necessarily possess the confidence of the government treasurer, it is considered essential that he should have the power of removing them at will. This would not be possible if tahvildars and money-testers were government servants. It was, therefore, decided in 1927 to terminate the services of all tahvildars and money-testers who were in government service and since then these officials are the servants of the government treasurer.

*5. **Rao Krishna Pal Singh** : [*Postponed.*]

*6 and 7. **Thakur Keshava Chandra Singh** : [*Postponed.*]

*8 to 10. **Mr Bhonduram** : [*Postponed.*]

*11. **Mr. Zahur Ahmad** : [*Postponed.*]

HONORARY MAGISTRATES IN ALLAHABAD CITY

*12. **Rai Govind Chandra** (*absent*): Will the Government be pleased to lay on the table a statement showing the educational qualifications and the profession of each of the honorary magistrates appointed during the last five years in Allahabad City?

The Hon'ble the Home Member (**Kunwar Sir Maharaj Singh**) : A statement is laid on the table.

(See *Appendix page 696.*)

*13. **Rai Govind Chandra** (*absent*): [*Postponed.*]

HAILSTORMS IN THE DISTRICTS OF FATEHPUR AND BANDA

*14. **Munshi Amir Hasan Khan** : Is the Government aware that there have been hailstorms in the districts of Fatehpur and Banda about the middle of February, 1936?

The Hon'ble the Finance Member : Yes.

***15. Munshi Amir Hasan Khan :** (a) Can the Government give any idea of the losses which the zamindars and tenants of the affected area have suffered in rupee figures?

(b) What steps does the Government propose to take to grant relief to the sufferers besides remission?

(c) Is it a fact that at some places crops and leaves of trees have been so wiped off that question of fodder has become grave for the villagers?

(d) Is it a fact that tenants and labourers at some places have nothing left for them to harvest and their condition has become acute for failure of *mohur* and mango blossoming?

The Hon'ble the Finance Member : As regards Fatehpur the information asked for is not available yet. The Collector is making detailed inquiries as to the extent of loss and will submit proposals to Government as soon as possible. As regards Banda the position is as follows :

(a) In five villages the loss is practically sixteen annas, in 25 villages it is more than eight annas and in 23 villages it ranges between six and eight annas.

(b) Besides the relief in the shape of remission of rent and revenue, the Collector proposes to send the non-milch cattle to the reserved forest for grazing free of charge and to distribute Rs.32,000 as fodder *taqavi* for milch cattle under Act XII of 1884 and Rs.13,000 *taqavi* for *bandhs* under Act XIX of 1883.

(c) Yes.

(d) Yes.

Munshi Amir Hasan Khan : What is the system that has been adopted in finding out this loss and in making remissions and suspensions, i.e. is the whole khata seen or only specific parts relating to particular tenants?

The Hon'ble the Finance Member : The ordinary procedure is being adopted of personal inspection by the tahsil and the sub-divisional staff. A field-to-field inquiry was made in the ordinary way.

ORDER DECLARING MOSLEMS OF MAUDAHA AND ADJOINING VILLAGES IN THE DISTRICT OF HAMIRPUR AS AGRICULTURISTS

***16. Munshi Amir Hasan Khan :** Would the Government consider the desirability of publishing the order declaring Moslems of *Maudaha* and adjoining 11 villages, in the district of Hamirpur, agriculturists, in the local *Government Gazette* for general information?

The Hon'ble the Finance Member : No such order as is referred to in the question has been passed by Government.

***17. Rai Bahadur Chaudhri Raghuraj Singh :** [Postponed.]

***18 to 20. Chaudhri Dharya Singh :** [Postponed.]

***21. Pandit Moti Lal Bhargava :** [Postponed.]

HEAD COMPOUNDER OF THE SADAR HOSPITAL, BAREILLY

O. no. Date

*14 11-3-36

*22. **Khan Bahadur Maulvi Saiyid Habib-ullah** (*absent*): (a) Is the Government aware that the present head compounder of the Sadar Hospital, Bareilly, is carrying on private practice in the city?

(b) Will the Government be pleased to state if the said compounder is a qualified eye surgeon? If not, is it a fact that the district medical authorities have allowed him to carry on his private practice against the spirit of Government orders? If so, why?

The Hon'ble the Minister for Local Self-Government (Nawab Sir Muhammad Yusuf): (a) No.

(b) The compounder is not a qualified eye surgeon nor has he been permitted to carry on private practice.

*23. **Khan Bahadur Maulvi Saiyid Habib-ullah** (*absent*): Will the Government consider the advisability of issuing early instructions that no compounders are allowed any private practice unless they are regularly qualified and unless they obtain the special permission of Government to do private practice without detriment to the health of the city and the efficiency of the department?

*15 11-3-'36

The Hon'ble the Minister for Local Self-Government : Yes.

STAFF FOR THE COLLECTION OF TAQAVI IN MUZAFFARNAGAR AND OTHER DISTRICTS

*24. **Rai Bahadur Lala Anand Sarup** (*absent*): (a) Is it a fact that a separate staff is employed for the collection of *tagavi* in Muzaffarnagar and other districts?

*19 11-3-'36

(b) Is it not possible for the Government to entrust this work also to the canal amins?

The Hon'ble the Finance Member : (a) Yes.

(b) No. This will cause administrative inconvenience and is not likely to result in any economy, as the appointment of amins for collection of canal dues depends entirely on the amount to be collected.

*25. **Rai Bahadur Lala Anand Sarup** (*absent*): (a) Is the Government aware that the extra naib-tahsildars in the Muzaffarnagar district are responsible for the collections of canal dues, *tagavi* and *kham* tahsil as well?

*20 11-3-'35

(b) Is it a fact that the extra naib-tahsildars in the Meerut district, who are also responsible for *tagavi* collections, are allowed travelling allowances, while those in the Muzaffarnagar District are not getting anything by way of any allowances since May last?

(c) If so, why this preferential treatment is accorded to one district as against the other?

(d) Do the Government intend to reconsider the claims of the extra naib-tahsildars in Muzaffarnagar, and allow them travelling allowances as their outdoor duties are harder and much more expensive?

The Hon'ble the Finance Member: (a) In extra-nail-tahsildars, Muzdakhajars and *panchayat* are employed for the collection of canal dues though the *panchayat* are not authorised officers in supervising the collection of *tax* or canal Government dues.

(b) No.

(c) *Not stated*.

(d) This question will be considered.

O. no. 1000
*12-11-35

*26. Rai Bahadur Lala Anand Sarup (*absent*): Will the Government be pleased to send a statement report of the District Magistrate were on the working of the Special Revenue Officers appointed to look after the collection of fish duties in their charge?

The Hon'ble the Finance Member: Government regret that they cannot disclose the contents of the reports.

REMOVAL OF THE NAME OF KHAN BAHADUR HAKIM MOAZZAM ALI KHAN
FROM THE DISTRICT BOARD ELECTORAL ROLL, BAREILLY

*6 12-3-36

*27. Babu Ram Bahadur Saksena (*absent*): (a) Is it a fact that the name of Khan Bahadur Hakim Moazzam Ali Khan was removed from the District Board Electoral Roll by the District Magistrate, Bareilly? If so, for what reason?

(b) Is it a fact that he is still a defaulter?

(c) Is it a fact that he was nominated by the Government as a member of the District Board? If so, to represent what interest was he nominated?

The Hon'ble the Minister for Local Self Government: (a) Yes, under clause 9(g) of the District Boards Act.

(b) No.

(c) Yes, to represent the special interests of weavers, fruit growers and poultry farmers.

*7 12-3-36

*28. Babu Ram Bahadur Saksena (*absent*): (a) Is there any Fruit Growers' or Weavers' or Poultry Keeper' Association in Bareilly?

(b) Did any of such associations demand any representation on the Bareilly District Board?

The Hon'ble the Minister for Local Self Government: (a) There is a Poultry Association at Bareilly.

(b) Yes.

*8 12-3-36

*29. Babu Ram Bahadur Saksena (*absent*): Is Khan Bahadur Hakim Moazzam Ali Khan the owner of any fruit garden, weaving factory or a poultry farm?

The Hon'ble the Minister for Local Self Government: He is the owner of a number of fruit gardens, keeps poultry, and is the President of the Bareilly Poultry Association. He has no weaving factory.

MEDICAL AID IN JHALUPUR, DISTRICT BENARES

*13 12-3-36

*30. Rai Govind Chandra (*absent*): Is the Government aware that no dispensary, hospital or medical aid of any kind has been

provided for by the District Board of Benares for the sub-division of O. no. Data Jhalupur ?

The Hon'ble the Minister for Local Self-Government : Yes; but there is a dispensary at Chaubepur, 5 miles from Jhalupur itself.

AGREEMENT BETWEEN RAJA MAHIPNARAYAN AND THE GOVERNOR
GENERAL IN COUNCIL IN 1794

*31. **Rai Govind Chandra (absent):** (a) Is it a fact that in accordance with the terms of agreement between Raja Mahipnarayan and the Governor General in Council, dated the 27th October, 1794, the "remaining surplus" from the income from the tracts of land then known as the zamindari of Benares, which the Governor General in Council took over under the terms of that agreement, after deducting the sum of Rs.11 lakhs (Rs.1 lakh for the Maharaja and Rs.40 lakhs for the East India Company), was to be annually expended in this district (of Benares) for pathshalas, roads, bridges and agricultural improvements? *15 12-3-'36

(b) What is the annual income from such tract now as forms part of British India ?

(c) How much is specifically spent out of that locally for purposes mentioned in the agreement ?

(d) Do Government propose to see that the terms of the agreement are strictly adhered to in the future ?

(e) Are Government prepared to wipe off the debts of the Benares Municipality and other local boards in the area and give substantial grants to them for local purposes as mentioned in the agreement ?

The Hon'ble the Finance Member : (a) The agreement provided that the surplus should be annually expended in this district, and applied, under the authority of the Company's Government, towards the charges of the civil and judicial establishments in the support of the new and old courts, and for the maintenance of the pathshala or Hindu College, and for repairing the roads and constructing bridges, and promoting the cultivation, etc.

The honourable member has omitted the charges relating to Civil and Judicial establishments.

(b) and (c) The information is not readily available, revenue and expenditure of the tract in question having been merged in the general Provincial account.

(d) Government are not aware of any deviation from the agreement.

(e) No.

PAYMENT OF LOCAL RATES TO THE DISTRICT BOARD, LUCKNOW

*32. **Rai Sahib Babu Rama Charana (absent):** With reference to the answers given to my questions (starred) dated the 26th February, 1936, will the Government be pleased to supply the following information? *16 12-3-'36

(1) How many and what villages of the City of Lucknow pay local rates to the District Board, Lucknow, and under what law ?

- (2) What is the sum which the District Board contributes to the Municipal Board for the maintenance of the roads for the maintenance of which the contribution is made?
- (3) What is the amount which the District Board pays to the Dufferin Fund Association? Does the Municipal Board also pay anything to the said Fund?
- (4) Is the Dufferin Fund Association a concern of the Municipal Board or of the District Board or is it an independent association assisted by public bodies in general?

The Hon'ble the Minister for Local Self Government: (1) The following 12 villages pay local rates to the District Board, under section 3 of the United Provinces Local Rates Act as amended by section 109 of the United Provinces District Boards Act:

- | | |
|------------------|---------------------|
| (1) Iradainagar. | (7) Jyaman. |
| (2) Birtana. | (8) Khairpur. |
| (3) Bhrauliya. | (9) Dugawan. |
| (4) Bhadawan. | (10) Ruppur Khadra. |
| (5) Bhikampur. | (11) Kondri Nazul. |
| (6) Jugauli. | (12) Madhganj. |

(2) The District Board contributes Rs.2,787-9-10 for the maintenance of the intra-municipal portions of the following roads:

- | | |
|------------------------|-------------------------|
| (1) Lucknow-Haridol. | (3) Lucknow-Mahmudabad. |
| (2) Lucknow-Sultanpur. | (4) Alambagh-Talkatora. |
| (5) Under Bridge. | |

(3) The District Board makes an annual contribution of Rs.1,710 to the Dufferin Hospital, Lucknow. It also contributes Rs.2,260 per annum to the Provincial Committee, Trustees of Dufferin Fund, on account of the pay of the Sub-Assistant Surgeons attached to the Female Dispensaries at Salempur and Mahhabad. The Municipal Board contributes Rs.2,400 per annum to the Dufferin Hospital, Lucknow.

(4) The Dufferin Funds Association is an independent association, but it receives contributions from some Municipal and District Boards.

NOMINATION TO THE BAREILLY MUNICIPAL BOARD BY THE ROHILKHAND AND KUMAUN RAILWAY

O. no. Date
*18 12-3-'86

*88. Pandit Joti Prasad Upadhyaya: Is it a fact that the Commissioner, Rohilkhand Division, suggested several years ago to the Rohilkhand and Kumaun Railway, a nominating body to the Bareilly Municipal Board, to nominate only a Muslim to the Board?

The Hon'ble the Minister for Local Self-Government: No.

*19 12-3-'86

*84. Pandit Joti Prasad Upadhyaya: Is it a fact that ever since 1920 only a Muslim has been nominated by the Rohilkhand and Kumaun Railway to the Bareilly Municipal Board? When was it last that a non-Muslim was so nominated?

The Hon'ble the Minister for Local Self-Government: No. A non-Muslim was last nominated in 1932.

*35. Pandit Joti Prasad Upadhyaya : Why has the Rohilkhand and Kumaun Railway been made a nominating body for the Bareilly Municipal Board?

*20 12-3-'36

The Hon'ble the Minister for Local Self-Government : To represent the interest of the Railway.

*36. Pandit Joti Prasad Upadhyaya : Since when has Government been nominating only a Muslim to the (a) Bareilly and (b) Meerut Municipal Boards to represent special interest and why has a non-Muslim not been nominated all these years?

*21 12-3-'36

The Hon'ble the Minister for Local Self-Government : Since 1931 at Bareilly and 1929 at Meerut. Nominations are made irrespective of communal consideration, and it is only by chance that no non-Muslim has been nominated recently.

ORDER PROHIBITING EVIDENCE BEFORE A NON-OFFICIAL INQUIRY
COMMITTEE, FEROZABAD

*37. Pandit Prem Ballabh Belwal : (a) Are the Government aware that the Tahsildar of Ferozabad issued a notice in the town to the effect that any person giving evidence before any non-official committee of enquiry will be prosecuted for contempt of court.

*2 13-3-'36

(b) Under what law or authority did the Tahsildar act in promulgating such a notice?

The Hon'ble the Home Member : (a) A manuscript note was put up on the tahsil notice board warning the public that if they gave evidence before an unofficial committee while the riot cases were *sub judice* they might run the risk of being liable for contempt of court.

(b) The Tahsildar, who is no longer in the Agra District, did not act under any particular law or rule, but took this step in the interests of the public.

BENARES TOWN HALL

*38. Pandit Prem Ballabh Belwal : (a) Is it a fact that the Benares Town Hall and the surrounding grounds have been used for Swadeshi exhibitions in the past?

*3 13-3-'36

(b) Is it a fact that the use of these has been refused to the Local Congress Committee when they applied for permission to hold a Swadeshi exhibition there?

(c) Is it a fact that the permission was refused simply because the Congress Committee and not any other body was intending to hold an exhibition?

(d) If so, do the local authorities continue to regard the Congress Committee as an unlawful body? If not, why is permission refused?

The Hon'ble the Minister for Local Self-Government : (a) Yes, once.

(b) Yes.

(c) No.

(d) Permission was refused because the hall could not be spared for the length of time for which it was asked.

PROCEEDINGS OF THE LEGISLATIVE COUNCIL
HAMBURG DISTRICT

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Pandit Prem Ballabh Belwal : I am not that in November last, I had received a letter to Sri Brahmanand Sanyasi of Jagadpur, at the Awar district Hamirpur, asking for immediate reply to the letter, whether the said Sanyasi had asked for and been given financial assistance from Mr. Sri Prakash, M.A., for the school. If so, what authority had the Sub-Inspector to give for the information. Does Government approve of this conduct?

The Hon'ble the Home Member : The Sub-Inspector asked Sri Brahmanand Sanyasi whether or not it was true, as had been reported, that Sri Brahmanand Sanyasi had appointed two revolutionaries to the staff of the school and had thereby broken the terms of an agreement into which he had voluntarily entered with the district authorities and which included the maintenance and inspection of accounts, the appointment of the school staff, &c. Before the letter was despatched information was received that he had asked Mr. Sri Prakash, M.A., to assist the school. An enquiry about this fact also was thereupon inserted in the letter to which reference has been made. The Sub-Inspector acted under the instructions of his superior officer and Government are not prepared to disapprove of his conduct which was calculated to give Sri Brahmanand Sanyasi an opportunity of refuting reports which had been received against him.

Pandit Joti Prasad Upadhyaya : Why did the Government disapprove of the conduct of the school authorities when they asked Mr. Sri Prakash to assist the school?

The Hon'ble the Home Member : There was no question of disapproval. As Mr. Brahmanand Sanyasi had entered into a written agreement with the district authorities, one of the terms being that the school accounts should be properly kept and open to inspection by the district authorities, certain information was asked for regarding the financial assistance expected from some one living outside the district.

Pandit Joti Prasad Upadhyaya : The answer given by the Hon'ble the Home Member is not quite clear to me. I want to know why the mere fact that this Sanyasi required help from Mr. Sri Prakash was disapproved by the district authorities?

The Hon'ble the Home Member : There was no disapproval. Only information was asked for.

Pandit Joti Prasad Upadhyaya : What was the object?

The Hon'ble the Home Member : The Sanyasi had asked the District Magistrate to give him help in the collection of subscriptions.

Pandit Joti Prasad Upadhyaya : May I take it that the District Magistrate would have refused to help the institution which Mr. Sri Prakash was asked to help?

The Hon'ble the Home Member : No.

TEACHERS' TRAINING CLASSES IN MISSIONARY INSTITUTIONS
IN THE UNITED PROVINCES

O no. Date
22-12-35
*9 18-3-'36

*40. **Pandit Joti Prasad Upadhyaya:** (a) What is the number of teachers' training classes in missionary institutions in the United Provinces aided by the Government?

(b) Of the pupils selected for these classes in the years 1933, 1934 and 1935, how many were Christians and how many non-Christians?

The Hon'ble the Minister for Education (Sir Jwala P. Srivastava): (a) and (b) The information is being collected and an answer will be given at a later date.

CONGESTION IN THE LOCALITY OF THE ALLAHABAD UNIVERSITY

*41. **Babu Ram Bahadur Saksena** (*absent*): What steps do the Government contemplate to take to protect the public interests and the interests of the University in particular against the threatened congestion in that locality? Is the Allahabad Improvement Trust contemplating or taking steps to proceed with a University extension scheme for the entire area between the Senate House compound of the Allahabad University and the Bank Road at Allahabad and does the Government propose to provide funds for the purpose before the congestion becomes a settled fact or it becomes too late to prevent it?

*12 16-3-'36

The Hon'ble the Finance Member: Government have not received any representation upon the subject from the local authorities, nor have the Improvement Trust framed any scheme in this connexion. The Commissioner and the Trust are being asked to watch the situation, and any proposals which they may make will receive Government's careful consideration.

NOMINATIONS TO THE JALAUN DISTRICT BOARD

*42. **Rai Sahib Babu Kamta Nath Saksena** (*absent*): (a) Is it a fact that the lady member, nominated by the Government to the Jalaun District Board, is the wife of the assessing officer, an employee of the said Board and that the younger brother of the said assessing officer is also a clerk in the District Board Office?

*1 18-3-'36

(b) Will the Hon'ble the Minister for Local Self-Government please state whether he was aware of the fact mentioned in paragraph (a) of the question when he nominated the lady member?

(c) Was the nomination of the lady member in accordance with the recommendations of the District Magistrate of Jalaun; if not, what were the reasons for not accepting the recommendations of the District Magistrate in the matter?

(d) Is it the intention of the Government to let this lady member continue a member of the Board while her near relations mentioned in paragraph (a) of the question continue as paid servants of the Board; if not, what steps do the Government propose to take in the matter?

*43. (a) Was the present nominated member to represent the depressed classes in the Jalaun District Board recommended for nomination by the District Magistrate of Jalaun or the Commissioner,

*2 18-3-'36

Jalain Division? If by member of those, who suggested the name of the member for nomination to the Hon'ble the Minister for Local Self-Government?

(c) Did the District Magistrate of Jalain or the Commissioner, Jalain Division, make any recommendations in the matter of the nomination of a member to represent the depressed classes in the Jalain District Board? If so, were the recommendations accepted; if not, what were the reasons for disregarding the recommendations?

(d) Does the member nominated by Government possess any qualifications, educational or otherwise, which entitled him for favourable consideration by the Hon'ble the Minister for Local Self-Government; if so, what are these special qualifications?

Q. no. Date
*3 18-3-'36

*44. (a) What special interest does the present nominated member of the Jalain District concerning special interest represent in the said Board?

(b) Does the said member belong to the class which he purports to represent?

(c) Was no member of the class which the said member is said to represent available for nomination?

(d) Was the name of this member recommended for nomination by the District Magistrate of Jalain; if not, what were the reasons for departing from the recommendations of the District Magistrate in the matter?

(e) Does this member possess any special qualifications entitling him to represent the said interest; if so, what are these qualifications?

The Hon'ble the Minister for Local Self-Government: The information is not complete yet and answers will be furnished at a later date.

RESIGNATION OF MUNSHI MAHADEVA PRASAD VARMA, ADVOCATE, MIRZAPUR, FROM HONORARY ASSISTANT COLLECTORSHIP

*7 11-3-'36
14 18-3-'36

*45. **Pandit Shri Sadayatan Pande** (*absent*): (a) Is Government aware that Munshi Mahadeva Prasad Varma, Advocate of Mirzapur, has tendered his resignation from Honorary Assistant Collectorship? If so, when?

(b) Has the resignation been forwarded to Government by the Collector and has the same been accepted by Government?

(c) Will Government please state what were the circumstances under which the resignation was tendered?

The Hon'ble the Finance Member: Information called for from the Board of Revenue has not yet been received. A reply will be given at a later date.

CANCELLATION OF GUN LICENCE OF MR. F. A. SHERWANI AND HIS BROTHER IN ETAH DISTRICT

27-8-'36

*46. **Hafiz Muhammad Ibrahim** (*absent*): Is it a fact that the licence to keep a gun granted to Mr. F. A. Sherwani, Managing Agent, Neoli Sugar Factory in Etah District, was cancelled by the District

Magistrate, Etah, on the ground that he was present at the celebration of the Jubilee of the Indian National Congress on 28th December, 1935?

The Hon'ble the Home Member: The licence was cancelled because Mr. Sherwani broke an undertaking that he gave when the licence was granted to him.

(1. no. Date
*2 27-3-36)

*47. **Hafiz Muhammad Ibrahim (absent):** Is it also a fact that for the same reason as in the above question the licence of Mr. F. A. Sherwani's brother was cancelled?

The Hon'ble the Home Member: Yes: except that the licence was not renewed. It was not cancelled.

*3 27-3-36

*48. **Hafiz Muhammad Ibrahim (absent):** Is it a fact that the locality in which the sugar factory is situated is the same in which a pitched fight recently took place between a certain gang of dacoits and the police?

The Hon'ble the Home Member: In February, 1934, shots were exchanged between a party of police and a gang of dacoits at the village of Kiloni which is 10 miles from the sugar factory.

*49. **Hafiz Muhammad Ibrahim (absent):** Is it a fact that previous to the grant of licence to Mr. Sherwani the tenantry in the locality where the farm is situated suffered heavily on account of damage to crop by wild animals?

*4 27-3-36

The Hon'ble the Home Member: Damage was and is still done to crops by wild animals in the Ganges *khadir* which is 4 miles from the factory farm. The grant of a licence to Mr. Sherwani had no effect.

*50. **Hafiz Muhammad Ibrahim (absent):** Is it a fact that during the period in which Mr. Sherwani had the licence great improvement appeared in respect of the damage referred to in the above question?

*5 27-3-36

The Hon'ble the Home Member: No: Mr. Sherwani himself stated that he had never used his gun.

Pandit Joti Prasad Upadhyaya: With reference to the answer given to question no. 46, what was the undertaking which was given by Mr. Sherwani when taking this licence?

The Hon'ble the Home Member: The undertaking was that he would not take any active part against the Government.

Pandit Joti Prasad Upadhyaya: Did he take any active part against the Government?

The Hon'ble the Home Member: I understand that he hoisted the Congress flag.

Pandit Joti Prasad Upadhyaya: Is Congress still considered to be an unlawful association?

The Hon'ble the Home Member: No, Sir, it is not now considered an unlawful association.

Pandit Joti Prasad Upadhyaya: Is the hoisting of the Congress flag considered to be a crime now?

The Hon'ble the Home Member: Not by itself. This depends upon circumstances.

Pandit Joti Prasad Upadhyaya : Is the information true that a *Shikari* was employed to burn the flag?

The Hon'ble the Home Member : Yes, Sir.

Pandit Joti Prasad Upadhyaya : Would it then be the policy of Government to prevent any person who takes part in the hoisting of the Congress flag?

The Hon'ble the Home Member : Mr. Shikari had a right of appeal to the Government.

Pandit Joti Prasad Upadhyaya : I want to know whether Government would cancel the licence of anybody who takes part in or who is present at the hoisting ceremony of the Congress flag?

The Hon'ble the Home Member : Not necessarily. I should like to add, for the information of the honourable member, that it is not the Government who cancel licences, but the District Magistrate.

Pandit Joti Prasad Upadhyaya : But the District Magistrate is surely an employee of the Government.

(No reply.)

THE BUDGET, 1936-37 : DISCUSSION OF DEMANDS FOR GRANTS (continued)

GRANT NO. 31-32—MEDICAL

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, I beg to move that under sub-head C—Grants for medical purposes—8. Grants to private practitioners in rural areas, a reduction of Rs.1 be made.

Under this sub-head, a sum of Rs.5,417 only was allotted in the current year, and the same amount is budgeted also for next year. It was pointed out yesterday that there were very few dispensaries in the rural areas of these provinces; and the Hon'ble the Minister said that Government had not got sufficient funds to open new dispensaries. The other course left to Government is to subsidize private practitioners. In that way alone medical relief can be provided to villagers; and the advantage is that Government will not have to spend money on erecting new buildings. Had they sufficient funds, they could have erected new buildings for hospitals in the rural areas; but on account of financial stringency if something can be done with a smaller sum of money, I submit that it should be taken in hand. There are many M.B., B.S.'s and L.M.P.'s now available. If they are induced to go to villages and do practice there, then the grievance will be redressed to a very great extent. It is said that many M.B., B.S.'s and L.M.P.'s do not like to go to villages, but if they get monetary help upon which they may fall back, I think they will welcome the idea. In the beginning they may be attached to some dispensaries in rural areas where they may acquire practical knowledge and at the same time they may become used to village life. If that is done, they will not hesitate in going to villages and establishing themselves there.

Further, Government may consider the advisability of charging only nominal price for medicines from patients if it is not possible to distribute medicines free to them. My experience is that patients do not

grudge a few pice for medicines. The Government will be able to spend a portion of the money thus realized on providing subsidies to these private practitioners. May I know why Government could not increase the grant under this sub-head, so that more help would have been available? At least they could increase the amount by a few thousands more in order to provide medical relief in a larger area than it is provided at present. I also wish to know who are these private practitioners upon whom Government is spending this sum of Rs.5,000 and whether this experiment has proved a success. In this connexion I want to point out that there are certain private practitioners who are doing great service to the areas where they are living. For instance, Dr. Mohan Lal has got his own eye hospital in Aligarh and every year he holds a camp in one village or another in the district and provides relief to those who are suffering from eye diseases, and it is gratifying to see that local zamindars come forward and bear all expenditure in that connexion. The local authorities also realizing the great utility of the work have been making recommendations to Government for a grant to that institution, but so far it has not been fortunate in getting a single pie out of Government treasury. When Government has not got sufficient funds to open its own hospitals and dispensaries, it is only proper that it should help those who are standing on their own legs and are providing relief to the needy persons in rural areas. I shall therefore strongly urge upon the Government to see that such hospitals are given adequate grants. In this way Government will not have to incur the huge expenditure that is to be involved in opening new dispensaries and those private hospitals will be able to serve rural areas. If Government takes up this matter and if the department is serious about it and puts its heart into it, I am sure a move will be made in that direction and this relief will be provided to a very great extent in those areas where there is no dispensary at the present moment.

Rai Bahadur Vikramajit Singh : Sir, I agree with the honourable mover that the money provided for subsidizing the medical practitioners in rural areas is very inadequate and insufficient. Rupees 5,417 for 48 districts works out at Rs.110 per district and with that money it is impossible to subsidize even one medical practitioner in each district. The Hon'ble Minister in his opening speech told us that Rs.600 are to be given as subsidy to each medical practitioner and consequently the amount will cover only the cost of subsidizing nine medical practitioners in 48 districts. I do not see how this amount can in any way suffice for subsidizing the medical practitioners. To my mind it is merely a nominal sum and no one seems to be in right earnest to give any subsidy to medical practitioners in the rural areas. It was said by the Hon'ble Minister that the medical practitioners are not willing to go to the rural areas at all. I really do not know what steps have been taken to persuade the medical practitioners to go to the rural areas. If they are paid Rs.50 a month and can have an additional income from private practice in the rural areas, I do not see why many of those who have got no practice in the urban areas would not like to shift to the rural areas. The question is whether this fact has ever been advertised sufficiently in the papers or any serious attempt has been made to persuade people to shift to rural areas. Many of us

[Kai Bahadur Vikramam Singh.]

I did not know that any subsidy was offered to medical practitioners to settle down in rural areas. I am not very much in favour of spending money on brick and mortar and putting up new dispensaries, but I think that relief could be given in rural areas by persuading medical practitioners to go to these rural areas and to have their own dispensaries and stock of medicine. That will not cost Government much. It will be very easy to provide relief to a large number of people in this way. We are all agreed on this point that the rural areas need medical relief and the medical relief which is at present available is quite insufficient. Therefore, as an experimental measure, money should be provided to subsidize at least one medical practitioner in each district in the beginning, and then the number may be increased every year. These subsidies should not only be granted to those who practise the allopathic system but also to those who practise Unani and Ayurvedic systems.

Pandit Shri Sadayatan Pande : I had no intention to take part in the debate, but the small item that has been provided under this head in the budget has drawn my attention and I should like to draw the attention of the Government to the fact that it is a mere farce to speak of subsidizing private practitioners in the rural areas with a paltry sum of Rs.5,417. How ridiculous it looks that the whole of this big province should have been allotted the small amount of Rs.5,000 odd for medical relief in rural areas. We all know that the rural areas are very insufficiently served by medical assistance. There is a long distance between one dispensary and another and they are not within easy reach of those who want to take advantage of those dispensaries. I have not been able to understand the intention of the Government by providing this small sum. If they really mean serious business I think they ought to provide an adequate amount for this purpose in the rural area but if they are not really serious about providing sufficient medical relief in the rural area they had better not do anything at all. The Hon'ble Minister has said that medical practitioners are not drawn into the rural area because there is not sufficient inducement for them. Well, Sir, the reason is very obvious. If the Government give them Rs 100 a year and ask them to settle down in a distant village it is absolutely absurd for any medical practitioner to settle down in a deserted village and carry on his practice. If the Government provided a reasonable salary to the private practitioner and also some money for medicines I think a large number of them would be willing to settle down in the rural area. The question of unemployment is a very acute one these days and it has been engaging the attention of everyone in the country, but I think that if a serious attempt were made there would be no reason why a sufficient number of private practitioners should not flock to the rural area. It will be admitted on all sides that medical relief in the rural area is very badly needed, and it is the duty of the Government to provide this for the poor and the needy. In the municipal areas and big cities efficient Government, as well as non-Government clinic, and medical practitioners are easily available. In such places the rich people can afford to pay for the doctor and medicines, but, Sir, it is the poor people whose pockets do not allow them to make use of the medical practitioners and pay for costly medicines who ought to be looked after. The attitude of a

sympathetic Government should be to look after the poor people who stand in need of medical relief. Thousands of poor people die for want of proper medical aid. The Government is spending lakhs of rupees on sanitation and public health and various other things which after all appear to be nothing but showy things. So far as this particular item is concerned the Government ought to be generous and provide sufficient money for private practitioners in rural areas. Of course, there should be a sufficient check by the Government to see that the money provided is well utilized. I think, Sir, that the Government ought to provide at least Rs.2,000 per district in the province for subsidizing private practitioners.

* **Rai Govind Chandra :** Yet another way of giving medical relief to the rural area which I think has not been touched upon is this. The medical graduates who come out of the medical colleges in the country find it difficult to settle down in villages, but the licentiates who come out of the Agra School and other places can easily live in villages where they will have no competition. In Bengal a programme has been launched whereby in every district of Bengal today one medical school has been established. That medical school seldom, if ever, receives Government aid. It is run by private individuals on business lines, but the products of that school have their degrees recognized by the Government and it is due to this programme that in the villages of Bengal you can find one or two doctors of sub-assistant surgeon's grade, and therefore the medical relief that is meted out to the villages in Bengal is much more adequate than that in these provinces. I therefore hope, Sir, that the Hon'ble Minister in considering this point will also kindly consider this programme of helping the businessmen to open medical schools and to provide medical relief to the rural areas. There are quite a number of students, Sir, who pass their Matriculation examination and then wander about here and there. These students can easily be employed to do this work and I am sure, Sir, they would be only too glad to be educated in a medical school of this sort where they can easily get a diploma and can easily go to the villages and practise there. If one medical school is established in each district, I am sure, Sir, in course of time it will be able to provide at least two doctors for every village and this programme can easily be facilitated if the Government helps those businessmen to establish these schools and also recognize the licentiates coming out of these schools. I hope the Hon'ble the Minister will consider this item of the programme also.

Rao Sahib Thakur Shiva Dhyan Singh :

راؤ صاحب ٹھاکر شیو دیان سنگھ -

جناب پریسیدنٹ صاحب - میں خان بہادر حاجی عبید الرحمن صاحب کے کتبہ روشن کی تائید کرتے ہوئے یہہ عرض کروں گا کہ گورنمنٹ نے جو مبلغ ۵۴۱۷ روپیہ کل یو پی کے پرائیویٹ ہسپتالوں کے لئے منظور فرمایا ہے وہ کہاں تک حق بجانب ہے - جناب والا - یو پی کے اندر تعداد مواضع تقریباً ۹۰ ہزار ہے - نوے ہزار مواضع کے واسطے ۵۴۱۷ روپیہ میں کیا حصہ فی گاؤں کا آتا ہے - اگر ۲۸ ضلع پر یہہ رقم تقسیم کی جائے تو فی ضلع ۱۱۲ روپیہ ۱۱ آنہ ۷ پائی کے

* Speech not revised by the honourable member.

[Rao Sahib Thakur Shiva Dhyani Singh.]

نہیب آتا ہے۔ اب جبکہ اسے ہزار کانوں میں تو حساب لگایا جاوے تو فی کان کچھ کچھ کڑوہ کا حساب آویگا۔ یا ایک سارے کپڑے یا پانی کا چائوٹا خرچہ۔ چائوٹے تو شاید فی آدمی ایک چائوٹا بھی نہ مل سکے لہذا یہ روپیہ جو گورنمنٹ نے منظور فرمایا ہے وہ بالکل کم نا دیکھتا ہے۔ پرائیویٹ ہسپتالوں میں بہت کم آباد ہیں وہ زیادہ تو ایسے ہسپتال ہیں جہاں پر کتے ہیں۔ کانوں میں کہا گیا ہے کہ ایک کچھ ڈاکٹریں ہوتی ہیں صاحبان کو رورل ایریا (rural area) میں ہسپتال کرنے کا موقع دیا جاوے گا اور وہ ایک گاؤں میں آباد بھی نہیں ہوسکتے وہ غیر ہسپتالریز ایک بھی جب کہیں کسی آپریشن کے واسطے ان کو شہر میں جانا پڑتا ہے اور جیسے مصیبت کا سامنا ان کو ہونا ہے اُس شہر کے ہتھ والے منسوس نہیں کھستے۔ اسے بھی دوائیات ہوتی ہیں کہ آپریشن اگر ہو جاتا تو ان کی جانیں بچ جاتیں اور آپریشن نہ ہونے کی وجہ سے وہ ضائع بھی ہو جاتے ہیں۔ اب میں خاص طور سے علیحدہ ہیں جو ایک آنکھوں کا شفاخانہ ڈاکٹر موہن لال صاحب کا ہے اُس کی طرف آفریمل منسٹر صاحب کی توجہ مبذول کرانا چاہتا ہوں۔ شفاخانہ کو کھلے ہوئے ۷ برس ہوئے سنہ ۱۹۲۹ء سے یہ ہے اور اب یہ بہت ایذا گام نہایت سنگین ہے انجام نہ رہا ہے۔ تعداد مریضوں کی حسب ذیل رہی ہے جو اُس کی حالت کو ظاہر کرے گی :-

Operations	In-door patients	Out-door patients	
۲۷۱	۵۰۴۳	۱۸۱۱۳	سنہ ۱۹۲۹ء
۳۹۲	۸۵۴۲	۱۸۰۵۴	سنہ ۱۹۳۰-۳۱ء
۸۷۹	۱۰۳۸۵	۲۱۵۵۹	سنہ ۱۹۳۱-۳۲ء
۹۲۸	۱۳۸۳۱	۲۶۱۸۵	سنہ ۱۹۳۲-۳۳ء
۷۶۳	۱۶۵۵۳	۲۵۰۹۷	سنہ ۱۹۳۳-۳۴ء

کیا یہ تعداد کسی دوسرے شفاخانہ پرائیویٹ سے کم ہے اور کیا امداد کی مستحق نہیں ہے۔ دوسرے کچھ remarks

The Hon'ble the President :

اب آپ بہت زیادہ بڑے گئے اس معاملہ میں۔ اب آپ مطالب پر آئے کیونکہ اتنا وقت کونسل کے پاس نہیں ہے۔

Rao Sahib Thakur Shiva Dhyani Singh :

میں آپ کے حکم سے یہ عرض کر رہا

The Hon'ble the President :

Rao Sahib Thakur Shiva Dhyani Singh :

میں عرض کر چکا ہوں

میں اُس کے کام کی بابت عرض کر رہا میں ایک remark

The Hon'ble the President :

میں اس کی اجازت نہیں دیتا

Rao Sahib Thakur Shiva Dhyan Singh :

میں اس کے ساتھ یہ عرض کروں گا
کہ جو روپیہ پرائیویٹ پریکٹیشنرس کے واسطے بھجوتے ہیں تجویز ہوا ہے
وہ اتنا ناکافی و کم ہے، اس کے واسطے گورنمنٹ اور کچھ aid دیکر
private practitioners کی حوصلہ افزائی کرے چونکہ وہ اپنا کیمپ (camp)
بھی باہر موضوعات میں لے جاتے ہیں اور آنکھوں کے علاج کے واسطے بھی کچھ امداد
ہوجانا چاہیئے کیونکہ جسم میں آنکھ ہی نعمت عظمیٰ ہے *

* **Pandit Joti Prasad Upadhyaya :** Sir, I rise to support the motion that has been made by my honourable friend Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan. Sir, instead of demanding more money I would, in the first instance, like to have from the Hon'ble the Minister the following information. I think the House will be interested in getting this. I would like to know, Sir, when was this scheme introduced, in what year; what was the amount spent in the first year in which this scheme was introduced; what has been the progress in all the years since the scheme has been introduced how many medical practitioners have during all these years applied for getting a grant out of this fund; and lastly how the amount of Rs.5,378 was actually spent in 1934-35 and in what districts and to which medical practitioners this grant was given? I think, Sir, this information will lead us to conclude whether this scheme has been beneficial or not. To my mind the scheme is not at all a practical one, because I have seen certain advertisements by the Government in certain newspapers calling upon medical practitioners to apply for this grant under this scheme, and I have found out that no medical practitioners have made any response to such advertisements. I would, therefore, insist on Government placing this money at the disposal of the Board of Indian Medicine to be given to vaid and hakims instead of having this scheme which has been a failure. I do not think that any medical practitioner who has obtained a certificate of the Medical School at Agra or who has obtained the diploma of M. B., B. S. of the Medical College at Lucknow would ever find it attractive to go to rural areas and work there as a medical practitioner on a paltry sum of Rs.200 or Rs.300. The scheme itself is not a practical one, and Government has been generous enough to budget only Rs.5,000 for so many districts about which so many honourable members have protested. I, therefore, suggest that Government, if it agrees, should abandon this scheme and that the amount spent on this scheme be multiplied and placed at the disposal of the Board of Indian Medicine; then it would be advantageously spent.

* **Thakur Muneshwar Bakhsh Singh :** I am not against the provision being increased under this head; but at the same time I would request that the present emoluments of these doctors are quite insufficient and should, therefore, be increased. The Government has always been anxious that more doctors should settle in rural areas; but the difficulty is that doctors are not willing to do so. When I was Chairman of the District Board of Hardoi I tried my best to find out doctors to settle down in rural areas, but when they came they stuck to a village for a month or so and then they left it. The real difficulty is to find out doctors willing to settle in villages. The conditions in villages do not suit them and they do not find society there; so they are not willing

* Speech not revised by the honourable member

[Thakur Muneshwar Bakhshi Singh]

to go and settle there. This is the difficulty. Unless we raise their emoluments we cannot induce these doctors to settle down in villages. So I will suggest that the emoluments of the doctors should be raised and the grant should also be raised, because in the present conditions the doctors are not willing to settle down in rural areas. I hope the Government will try to overhaul the conditions and emoluments of these private practitioners of rural areas, because unless this is done this scheme cannot be successful. I think that in previous years the Government had provided money, but it was not all utilized and hence the grant was curtailed. I have experience of my own district that the money that was granted lapsed several times because the medical practitioners were not willing to settle in rural areas. So I hope that the grant and the emoluments will be increased.

The Hon'ble the Minister for Local Self-Government: The mover of this motion, the member for Aligarh, has rightly emphasized the need of more grant under this head. But I may point out to the House that in the past we have not been able to utilize the funds placed at our disposal. The amenities of life in urban areas hold great attractions for the medical graduates and medical licentiates and they do not like the idea of settling down in the rural areas if they can help it. The House is aware that we raised the subsidy for the medical graduates to Rs.600 and for the licentiates to Rs.400, and if we are to judge by the total figure of the medical men in the rural areas, viz. 18, it is obvious that it is not finding favour with the medical men, while they are somewhere in the neighbourhood of over 5,000 medical practitioners, licentiates and graduates. Therefore it is obvious that merely placing of a definite sum at the disposal of the Government will not do. We shall have to make the subsidy more attractive before medical graduates or licentiates are attracted to the rural areas. For example, if we raise the subsidy to Rs.1,000 for the medical practitioner and Rs.600 for the licentiate they may be attracted. But it is all a question of money. Let me hope that funds will be available and then it will be possible for me to give higher subsidy to the medical men who want to settle down in the rural areas. That is the only way in which we can attract medical men in the rural areas.

My friend the member for Agra has suggested that we should not try this scheme any more, but give this grant to the Board of Indian Medicine. I think we need not despair. There is yet a possibility of attracting a large number of young men to the rural areas. The question of unemployment is becoming more and more acute and they must be beginning to realize that if they have to eke out a living they must settle down in the rural areas. So that, while on the one hand the Government is making life in rural area more attractive for them by offering higher subsidies, on the other hand circumstances will compel them to settle in the rural areas, and we shall have the desired result. But I must repeat that this the Government cannot do unless funds are placed at our disposal. I may inform the House that during the current year results have been satisfactory, because five men have settled down in rural areas. So this is a good sign; and let me hope that better prospects will attract medical young practitioners to rural areas and they will settle down, and thus we shall be solving the problem of medical aid in rural areas.

Now with regard to the question of giving a grant to Dr. Mohan Lal's Eye Hospital, I assure the honourable member that I have the fullest sympathy with that institution. I know that Dr. Mohan Lal has been performing his duties and responsibilities in an efficient manner. He is very popular. But I regret very much that unless funds are available it will not be possible for us to give a grant. That is possible only if funds are available. I shall be only too glad to consider the case.

These are all the points that were raised by different members. In view of the fact that I am in entire agreement with the object of the mover of this motion I need hardly detain the House. I would repeat again that if funds are available, nothing will give me greater pleasure than to go ahead with this scheme.

* **Mr. C. Y. Chintamani:** Sir, I too had a motion under this head and did not move it as I wanted to see what has been said by several of my honourable colleagues. I was waiting for the statement of the Hon'ble Minister in order to be able to understand the position exactly and to avoid making two speeches, which would have been the case if I had moved the motion standing in my name. I regret to say that, as usual, I find the Minister's statement hardly satisfactory. With apologies to him, I may again call his attention to several passages on this subject in the report of the Unemployment Committee. I hope he is not tired of being reminded of this inconvenient committee, and its report is hardly flattering to Government. I would invite his attention to paragraphs 111 and 113 at page 53 of the report, paragraph 119 at page 56 and paragraphs 123 and 124(3) at page 58 of this report. In the first of these paragraphs is summarized information placed before the Committee by the Inspector General of Civil Hospitals. He told the Committee that there were only 21 private medical practitioners settled in rural areas in only 12 districts and that a subsidy of Rs.400 was paid to a medical licentiate, whereas a subsidy of Rs.600 was paid to a medical graduate annually by Government, and Rs.360 per annum was paid by the local boards concerned for medicines. An examination of the figures convinced the Committee that what had hitherto been done to subsidize medical licentiates and medical graduates in rural areas or dispensaries was wholly inadequate to the needs of the province. There was a large number of districts which went absolutely unrepresented in the list which had been furnished by Colonel Buckley, and the Committee were not satisfied that district and municipal boards had done as much as they ought or should have done. The committee with strict impartiality then proceed to blame medical practitioners for unwillingness to settle in rural areas owing to the inadequacy of the income they could hope for. On this point the committee say:

"It may be that the rural population will not be able to pay them at the same scale as the urban population but we cannot believe that if our young men realized, as keenly as they should, the gravity of the problem of unemployment, and if they also took into consideration the economic conditions of their countrymen living in rural areas, they will not, with a certain degree of

[Mr. C. V. Chaudhary:]

perspective and economic fitness, be able to earn a living in rural areas as well as in big cities and to do in bigger towns owing to the stress of competition."

The Committee are strongly of the opinion that there is a great deal of work to be done by qualified medical practitioners in small towns and rural areas and while on the one hand we would earnestly press it on medical practitioners, in their own interest as well as in those of their countrymen, to settle down in rural areas or small towns which may be convenient centres for the village population, we would strongly recommend that Government and local boards should subsidize them more amply."

The Hon'ble Minister has pleaded too dubiously that the scheme has not appealed to any respectable number of medical practitioners. It is a pity that this should be so, but responsible as he is for the distribution of medical relief in the province and the state of things being as unsatisfactory as was pointed out by Nawabzada Liaquat Ali Khan yesterday it is not too much for us to press upon the Hon'ble Minister the advisability of offering more adequate and more liberal inducements to medical practitioners to settle in rural areas.

The Hon'ble Minister next pleaded want of funds. I am positively sick of this plea, the more so as it is repeated *ad nauseum* by the same incumbent of office who proposes to throw away a sum of Rs.20,000 on the creation of a new appointment in another department under his charge. The truth is, as is evident from any number of instances that came to light in the course of budget discussions and at other times, that Members of the Government find the paucity of funds a serviceable excuse to urge when they decline what they do not want to do and what they are repeatedly pressed to do, but this difficulty of paucity of funds disappears into thin air when they are bent upon carrying out any fond scheme of their own. It is the duty of the Hon'ble Minister to find more than this petty sum of five thousand for an object so very beneficial, so very urgent, so very indispensable as the provision of more medical relief for the millions of helpless men who live in rural areas.

My honourable friend from Agra has suggested that this amount may be placed at the disposal of the Board of Indian Medicine in case every effort to induce the graduates of the medical college or the diplomates of the medical school fails to succeed. Whether the amount is placed at the disposal of that Board or it is distributed direct by Government or through local bodies to qualified practitioners of Ayurvedic and Unani systems of medicine, the suggestion itself has very much to commend it. In rural areas the cost of western medicine must operate as a serious handicap against the people going in for that system of treatment. Secondly, the faith in the indigenous systems of medicine—with apologies to Shaikh Habib-ullah—is still strong in rural areas; it is strong in urban areas too but it is much stronger in rural areas. I myself am a great offender. With profound apologies to the gallant Inspector General of Civil Hospitals, I put myself forward without shame as one who has immense faith in the indigenous systems of medicine, as one who has derived immense benefit from the use of those medicines during the last quarter of a century. If the Hon'ble

Minister will take it into his head to make a respectable amount available year by year for distribution to practitioners of Ayurvedic and Unani systems settling in rural areas and dispense relief to those who are in need of it, I am sure good use can be made of that money, and a number of deserving men who now have not enough of patronage will be benefited. But what is more important of all, large numbers of those who now go without any medical relief will have within their reach medical relief at once cheap and medical relief in which they have faith. I hope the Hon'ble Minister will not throw away all these suggestions when the discussions are over, but will remember the promise that he makes now that he will give best consideration to any suggestions and will be able to present a better record when we next meet him.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : I am thankful to honourable members who have supported my motion, and at the same time I am grateful to the Hon'ble Minister for the sympathy which he has expressed with the motion. It is clear from the reply that the apprehensions which were lurking in the minds of some honourable members before do not exist now in the year 1936, and there is every possibility of the medical graduates or licenitates, settling in rural areas, provided they get sufficient pay and necessary facilities to do their practice there. But, Sir, there is one point which I wish to urge upon the Government most strongly, and it is this that on the ground of paucity of funds these schemes cannot wait any longer. May I draw the attention of the Hon'ble Minister to the fact that two funds are now at the disposal of the local Government, one being connected with rural reconstruction and the other to combat unemployment. If the Hon'ble Minister can get a portion out of these funds, then this scheme can succeed, because by inducing the M. B. B. S.'s and L. M. P.'s to settle in the rural areas they will be able to combat unemployment to a certain extent, and consequently they have every right to ask the Government to give a portion of the funds which may be earmarked for fighting unemployment to be spent under this head. So far as rural reconstruction is concerned, I think that it is the primary charge on that fund, so that medical relief be provided to the poor villagers. May I know whether so far any money has been given from this fund to the Medical Department, and if none has been given, what were the reasons for it? Now I would request the Hon'ble Minister to see that he gets adequate amount out of these funds for providing medical relief in the rural areas. I will therefore press this motion of mine, and hope that the House will also agree to it. It is very necessary that this scheme should be launched in its full vigour now, and I would request the Hon'ble Minister to entrust the work to the Inspector General of Civil Hospitals. I believe that the Government have already prepared a scheme for providing medical relief in the rural areas which is self-supporting. That being the case, there is no reason for them to sit idle. They must at once proceed with the scheme. At the same time I would again emphasize upon the Government the need for giving grants to those institutions which are doing good service such as the "Mohan Lal Eye Hospital" at Aligarh. If the sympathy of the Hon'ble Minister is not translated into action, I fear

[Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan.]

that there is possibility of the institutions being closed for want of sufficient funds. If such an institution would not be in a position to provide relief to poor patients, as they are doing at present, it will be a great loss and misfortune to it. Therefore the Government should see its way that something substantial is done in this connexion in the next financial year, i.e. before the inception of the new reforms.

The Hon'ble the Minister for Local Self Government: Sir, my friend the Leader of the Opposition has laid stress on the recommendations of the Sapru Committee. The Sapru Committee's recommendation is exactly the same as the one which is being pressed by the mover of the motion.

My friend has said that it does not appeal to him to hear that there are no funds available. The honourable members are aware that only four lakhs of rupees have been allotted for the purpose of dealing with the problem of unemployment. Whatever money will be available from taxation will no doubt be spent mainly on solving this problem, but part of it will go towards maintaining the districts and tahsils which were proposed to be abolished. Let me hope that more money will be available for medical aid, but it is clear that apart from the funds which will be available in connexion with unemployment there is no prospect of getting a very large sum of money. However, let me hope that it will be possible for the Finance Department to give us money, so that we may go ahead with the various recommendations made by this honourable House. I shall never be slow to press the Finance Department to give me more money and yet more money, but the whole question is whether money is available.

With regard to the object of my friend to get grants for the Mohan Lal Eye Hospital, I repeat again that I have the fullest sympathies with that institution, and that, if funds are available, I shall be only too glad to consider the case.

I hope that in view of the assurance that I have given and the fact that I propose to go ahead with this scheme, the honourable mover will see his way to withdraw his motion.

The Hon'ble the President: What is the issue before the House?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: Sir, the issue is to emphasize upon Government the necessity of providing funds out of the funds which are at their disposal for village uplift and for combating unemployment.

The Hon'ble the President: With that object, the question is that a reduction of Re. 1 be made under C—Grants for medical purposes—9—Grants to private practitioners in rural areas.

The question was put and agreed to.

* **Syed Ali Zaheer:** Sir, I beg to move that under sub-head D—Board of Indian Medicine, a reduction of Re.1 be made.

My object in bringing forward this cut before the House is to show that the representation which has been given on the Board of Indian Medicine at present to hakims and vaidys by election is insufficient for

* Speech not revised by the honourable member

such an important body. So far as I am aware, there are only four seats which are to be filled by election to the Board of Indian Medicine. Two seats from the entire province are reserved for hakims and two for vaidas. I beg to submit that this is entirely inadequate, considering the vast extent of the province and the large number of hakims and vaidas. I would, therefore, impress upon Government that representation should be increased primarily by election ; but, as I understand that this year elections have already taken place, I would suggest to Government that at least for the time being they should nominate two more hakims and two more vaidas to the Board of Indian Medicine, and that next year the rules under which elections are held should be modified, so that four hakims and four vaidas may have representation on the Board of Indian Medicine. I hope that my recommendation will be accepted by the Hon'ble the Minister.

The Hon'ble the Minister for Local Self-Government ; Sir, I am rising early to say that I am in sympathy with the object of my friend the mover of the motion. I shall be very glad indeed to examine the position and see if I can carry out his wishes. I repeat again that I am in sympathy with the object of my friend's motion. But it is not possible for me offhand to give any clear undertaking, except that I am prepared to consider the proposal sympathetically.

Rai Bahadur Vikramajit Singh : Sir, I rise to support the motion of my honourable friend, Mr. Ali Zaheer. The Hon'ble Minister has given a very sympathetic reply ; but he says that it is not possible for him to accept this motion offhand. It is not a question where any money is needed from the Finance Department ; it is merely a question that the number of hakims and vaidas should be increased. Sir, I think that to have a very small number from the whole province of hakims and vaidas does not conduce to the welfare or the good of the Board of Indian Medicine ; and consequently I think that it is desirable that their number should be increased. The elections cannot be held in the present year, but there ought to be no difficulty for the Hon'ble Minister to nominate two more vaidas and two more hakims, as has been suggested by the honourable mover. I think that the Hon'ble Minister will accept this motion inasmuch as it is in the interests of the indigenous system of Indian Medicine, which should be helped and improved.

Pandit Shri Sadayatan Pande : I rise to associate myself with the claim made by the honourable mover of this motion. It would not be out of place to say that in this large province, the small demand that either by election or by nomination two more hakims and two more vaidas should have representation on the Board of Indian Medicine is not an extravagant demand. It is a just claim and I think the Hon'ble Minister ought to have readily accepted this motion without saying that he would examine the position. No financial question is involved in this matter and I do not see what troubles the Hon'ble Minister. It is not a political body, it is a purely medical body and I do not think it ought to vex the Government if a couple of more men are nominated from each class. I happen to be an elected member of the Board of Indian Medicine from this Council and I feel that there is necessity of enlarging the personnel of the present Board.

Now, I wish to say something about the grant which Government is giving to the Board. The grant has been reduced considerably.

The Hon'ble President : That was disposed of yesterday under item 10.

Pandit Shri Sadayatan Pande : Well, Sir, then I simply support the motion now before the House.

Thakur Giriraj Singh : The number of registered vaidas and hakims is so large in the province that a representation of two vaidas and two hakims on the Board of Indian Medicine is meagre. So I wholeheartedly support the motion moved by my friend Syed Ali Zaheer, Sir, it is not unknown to us that on the recommendation of this Board of Indian Medicine a large amount of money is given out in grants to dispensaries which are started in urban areas. If there is adequate representation of vaidas and hakims on this Board, justice will be done in the case of those dispensaries which are started in rural areas and do not get any aid from the Board. I know it from my personal experience of my district of Azamgarh, where no less than six dispensaries are getting aid which are in urban areas, while only one has been given a grant, which is running in rural areas. These are the difficulties. The honourable mover and other speakers, who have preceded me had probably this point in view which made them ask for an increased representation of these vaidas and hakims. Sir, I think that elections will be better than nomination, but as it is now too late, it will be better if the Hon'ble Minister himself made these further nominations this year. The Hon'ble Minister has said that he will examine the question. I do not see what is there for examination. Many Councillors have already spoken their minds and put forward the grievances of the rural areas. I think the motion is such as can easily be accepted by the Hon'ble Minister at once.

***Syed Ali Zaheer :** There is not much that I have to say in reply. I think the Hon'ble the Minister must have realized that practically the whole of the House has supported the motion which I have put before the House asking for an increased representation of vaidas and hakims on the Board of Indian Medicine. I have suggested that instead of nominating these vaidas and hakims to the Board they should be elected by the general body of hakims and vaidas, and I hope the Hon'ble Minister will give due consideration to this proposal of mine.

The Hon'ble the Minister for Local Self-Government : Sir, I do not want to take the time of the House and I would like to make it clear that I accept the motion.

The Hon'ble the President : The issue is clear before the House, and with that object the question is that a reduction of Re. 1 be made under Board of Indian Medicine.

The question was put and agreed to.

Khan Sahib Muhammad Imtiaz Ahmad :

— خاندان محمد امتیاز احمد —

SIR, I beg to move that under sub-head D—Board of Indian Medicine, a reduction of Re. 1 be made.

**Speech not revised by the honourable member.*

جناب صدر — پیلی ہیٹ اُن اضلاع میں سے ایک ضلع ہی جو خرابی آب و ہوا کے لحاظ مشہور ہی لیکن وہاں کے لیٹے Indian Medicine Board سے اس قدر کم تعداد میں رقوم ملتی ہی کہ جو نہ ہونے کے برابر ہی — جب دسترکت بورڈ پیلی ہیٹ نے ایک ویدک اور ایک یونانی شفاخانے کھولے اُس کے واسطے دو سو روپیہ مقرر ہو گیا لیکن یہ سہ ۱۹۳۲ء تک چل سکا پھر پچاس روپیہ اُس میں سے کم کر دیئے گئے اور بجائے دو سو کے قریب سو رہ گئے حالانکہ اسی دوران میں وہاں دو شفاخانے اور کھول دیئے گئے اور ان کے لیٹے بھی گورنمنٹ سے امداد طلب کی گئی جو ابھی تک نہیں ملی اور جس کو بہت جلد ملنا چاہیئے لیکن گورنمنٹ نے اس پر کوئی توجہ نہیں کی اور یہ کہہ دیا کہ فنڈ نہیں ہی — گورکھپور اگر صوبہ کا اندمن نہیں ہی تو پیلی ہیٹ روہیلکھنڈ قویزن کا اندمن ضرور کہا جاسکتا ہی — وہاں کے لیٹے جو کچھ امداد دی جاوے وہ کم ہی اور جو دی جا رہی ہی وہ نہ ہونے کے برابر ہی اس لیٹے میں گورنمنٹ کو توجہ دلاؤنگا کہ وہاں جو دو شفاخانے اور کھولے گئے ہیں اُن کو بھی امداد دی جائے *۔

اِس کے بعد ایک خاص بات قابل غور ہی کہ انگریزی شفاخانہ کو بلڈنگ کے واسطے نصف روپیہ دیا جاتا ہی لیکن حکیموں اور ویدوں کے لیٹے نہ کوئی شفاخانہ بنوایا جاتا ہی نہ روپیہ دیا جاتا ہی وہ بیچارے کرایہ کے مکانوں کھڑیلوں اور چھتروں کے نیچے کام کرتے ہیں نہ دوائیں اچھی طریقہ سے رکھی جاسکتی ہیں اُن کے مریضوں کے لیٹے آسانیاں بہم نہیں پہنچائی جاسکتی ہیں لہذا اُن کی بلڈنگ کے لیٹے بھی روپیہ دیا جانا چاہیئے تاکہ دیہات کی آبادی بھی کچھ فائدہ اُٹھا سکے مریض وہاں رکھے جاسکیں اور مریضوں کو آسانی پہنچائی جاسکے جیسی کہ urban area میں پہنچا کرتی ہی *۔

Pandit Shri Sadayatan Pande: Sir, I think I am voicing the unanimous opinion of the House when I say that there is a great necessity of Aushdhalayas, and Unani Dawakhana in the rural areas. So far as my knowledge goes, none exists at present which is purely maintained by the Government. The Government is spending very large sums of money on the maintenance of allopathic dispensaries, but they have not opened a single Dawakhana or Aushdhalaya which is solely maintained by them. The Aushdhalayas and Dawakhana can be run at much cheaper expense and can prove of great help to the people in the rural areas. It is high time that Government realized that such medical institutions are absolutely necessary and therefore they should establish them either directly or through the agency of the Board of Indian Medicines. In the first year the Government cannot have their own buildings and will have to hire suitable houses in rural areas; but I am afraid suitable houses in rural areas will not be available every where. It is only in the notified areas and town areas or some of the very big villages where suitable houses could be available. Therefore the Government will be required to erect small buildings for Aushdhalayas and Dawakhana in those tracts where suitable houses are not available. I think it behoves Government that they directed their attention to this legitimate demand from the

[The Hon'ble the President:]

to be set over to the patient in the House and diverted an adequate amount of money, which I think will be very suitably spent. I therefore, beg to second the motion for the establishment of such a Board as will look into every district at the earliest possible date and will heartily support the motion.

Munshi Amir Hasan Khan : Sir, may I speak in Urdu as this motion has been moved in Urdu?

A voice : No.

Munshi Amir Hasan Khan : The need for having Unani and Ayurvedic hospitals in the provinces is well realized by the House and it is but proper for the Government to provide for legitimate demands. Allopathic treatment is not acceptable to 90 per cent. of the population of these provinces except Bombay. The whole of India wants the indigenous system of treatment. For the last hundred years or so the allopathic treatment has replaced the indigenous systems of treatment acceptable to Indians. I want to impress upon the Hon'ble Minister that we want a treatment which is suitable, less expensive and convenient for us. These are the three words; convenient because we can get these medicines in every place even in villages; less expensive because the medicine like *banafsha* and *ganjibara* etc., cost not more than a pice or two; and it suits every constitution. I wish to draw the attention of the Hon'ble Minister to this and would request him to take steps to act on the unanimous recommendation of this House on this subject. I need not inflict a long speech.

The Hon'ble the President : The Hon'ble Minister does not want words, he wants funds.

Munshi Amir Hasan Khan : With these words I give my wholehearted support to the motion before the House.

Shaikh Muhammad Habib-ullah : Sir, I am afraid either consciously or unconsciously all honourable members support what I plead. I have always pleaded for the use of indigenous medicines, but when honourable members begin to talk of treatment they forget that a system is a different thing from medicine.

The Hon'ble the President : May I just interrupt the honourable member? Today is the last day of the budget demands and if we launch into a controversy over the different systems of medicine I do not know where we shall end up. I think we had better leave this for discussion on a non-official day.

Shaikh Muhammad Habib-ullah : I hope the Chair will allow me three or four minutes more. So the question is one of the use of medicine. I myself very often use indigenous medicines such as *banafsha* and other things for ordinary cold, but the question of system or treatment is another problem. It relates to the diagnosis of the disease for which only scientific and scientific methods can be applied. No doctor can diagnose a case properly if it is at all a complicated case, without a pathological examination or test of any other kind. So far as the use of Indian medicines is concerned, I am wholeheartedly in agreement with my friends who support the use of those medicines, but when they talk of the system, I

am afraid I have got to warn them that they should only follow a system which is a scientific system and which is a system which has been evolved out of the indigenous treatment to which they are sticking even now in these days of advancement in science, etc. That is the only point I want to stress.

The Hon'ble the Minister for Local Self-Government : Sir, I do not think I shall be justified in delivering a lengthy speech. I wish at once to make it clear that I do recognize the necessity of having Ayurvedic and Unani dispensaries in the rural areas, but, Sir, it is all a question of funds. To begin with let us think of our first scheme, that is, the question of encouraging medical graduates and licentiates to settle down in the rural areas and then to see that vaidas and hakims are encouraged to settle down in rural areas. If we aim at having Unani dispensaries at every place, try to equip them well and have good medicines there, then I am afraid it will be a case of embarking on a rather ambitious scheme. We find it difficult at present to find funds to encourage vaidas and hakims through local bodies to settle down in the rural areas. The local bodies should encourage vaidas and hakims to settle down in the rural areas.

Several honourable members: They haven't got enough money.

The Hon'ble the Minister for Local Self-Government : Then obviously it is their duty to do that. Our resources are limited indeed and our finances are slender. We must know exactly where we stand financially before we make any commitment. I have nothing but sympathy for this laudable object, but we must see what funds are available before we launch upon any scheme.

Munshi Amir Hasan Khan : Government spend two crores of rupees on the education of the graduates.

The Hon'ble the Minister for Local Self-Government : We must not lose sight of the fact that the total revenue at present of the whole province is in the neighbourhood of about 15 crores only. Out of these 12 crores we have got to meet all the needs of the province and as things stand the whole of it is already fully utilized. I hope that in view of the legislation that has been passed and in this allotment that has been made for the purpose of unemployment, it may be possible for us to get some money to go ahead with some of the most useful schemes that we can think of in accordance with the recommendations of the Sapru Committee and otherwise with a view to carry out the wishes of the House in cases where they have laid stress on important items to which the Government must apply its mind seriously to. Therefore, when I say this I do not mean to say that I am not in sympathy with the object. It is all a question of pounds, shillings and pence. In view of the fact that we have to make a good beginning and that good beginning can only be in the direction, so far as Indian medicine is concerned, of making large funds available to the Board of Indian Medicine for helping Ayurvedic and Unani dispensaries and further by encouraging through the local bodies vaidas and hakims to settle down in rural areas, we must not really think of bigger schemes for which we have absolutely no funds. I do not say that we must lose sight of it ; but I do say that we have to take a practical view of things,

[Khan Sahib Muhammad Imtiaz Ahmad] :

and as funds are not available it is not possible for me to give any undertaking. But I repeat that I have the fullest sympathy with the object of my honourable friend the mover of the motion.

Khan Sahib Muhammad Imtiaz Ahmad :

خال صاحب محترم امتیاز احمد —

اس کے متعلق میں نے قبل ہی عرض کر دیا تھا کہ یہ دہ دیا جائیگا نہ روپیہ نہیں ہی یہ تو واقعہ ہی کہ روپیہ نہ رہی ہی ایسوں اسی کے ساتھ ساتھ ایسا (law)

ہی بنادیا جائے کہ لوگ بیمار نہ ہوا کریں کیونکہ یہ تو ممکن ہی کہ روپیہ فراہم ہو سکے لیکن یہ ناممکن ہی کہ ایک بیمار نہ ہوا کریں — میں نے جب پہلی بھیت کو پراونس کا نہیں نہ روہیلہ ہند ڈویژن کا انڈسٹریا تو ایک صاحب نے مانے کہ اس ضلع کو توڑ دیا جائے — جناب یہ ایک ایسا ہندوستان ضلع ہی کہ جب تشکیل کیے بیٹھے ہی تو سب سے پہلے ضلع پیلی بھیت بورڈ کا سوال آتا ہی اور سب سے پہلے نامہ پو پو پو پو کی تجویز کیا جاتا ہی نہ تین سال سے کسی نہ کسی ضلع میں ڈسٹرکٹ ہیلتھ اسکیم جاری ہوتی ہیں چنانچہ سنہ ۱۹۳۲-۱۹۳۳ء میں سہارنور و میڑتھ میں جاری کی گئی خوش قسمتی یا بدقسمتی سے سنہ ۳۵ و ۱۹۲۲ء میں پیلی بھیت کا نامہ آیا دو بجٹ تک سے پاس ہو گیا لیکن اس کے بعد Health scheme روک لی گئی اور وہ پیلی بھیت کو نصیب نہیں ہوئی اور یہ بتلایا گیا کہ چونکہ Taxation Bills نامنظور ہو گئے ہیں اس لئے اس اسکیم کو بند کیا جاتا ہی اب چونکہ ٹیکسیشن بل منظور ہو گیا ہی ممکن ہی اب ڈسٹرکٹ ہیلتھ اسکیم جاری ہو جاوے میں یہ مکر و سکر عرض کر دیتا کہ یہ ممکن نہیں ہی کہ وہاں لوگ بیمار نہ ہوں اور جب پیلی بھیت ڈسٹرکٹ بورڈ نے جو کہ ایک غریب ڈسٹرکٹ بورڈ ہی چار چار dispensaries قبول رکھی ہیں اور ان کے مصارف برداشت کر رہا ہی تو کوئی وجہ نہیں ہی کہ گورنمنٹ ۲۰۰ روپیہ ملاں سے ۵۰۰ اور کم کرے لہذا اس پر ضرور قبضہ فرمائی جاوے اور مزید روپیہ دو چارید شفاخانہ جات کو دینا منظور فرمایا جاوے *

The Hon'ble the President :

کیا آپ اس تجویز کو واپس لے رہے ہیں ؟

Khan Sahib Muhammad Imtiaz Ahmad :

اگر آنریبل منسٹر صاحب مجھے اطمینان دلائیں کہ مہری درخواست کے اوپر لحاظ کیا جاوے گا تو میں اپنی تجویز واپس لے لوں گا *

The Hon'ble the Minister for Local Self Government : I have already said, Sir, that if funds are available I shall be only too glad to consider the case.

The motion was, by leave, withdrawn.

Raja Jagannath Bakhsh Singh : I beg to move that under sub-head D— Board of Indian Medicine, a reduction of Re.1 be made.

In view of the fact that we are pressed for time I will at once state my object. My object in moving this cut is this. The amount which Government is giving to the Board of Indian Medicine is given on the understanding that all that money is spent for relief in rural areas, except in such cases where the Board may consider it unavoidable to spend some amount for others. The need for medical relief has been so stressed since yesterday in this House that responsible members went so far as to remark that the expenditure *per capita* in rural areas was scandalously inadequate. On the other hand, Government have been fully sympathetic. They have said that they are willing to encourage hakims and vaidas to settle more and more in rural areas. They are also agreeable to increase the number of Ayurvedic and Unani institutions for this purpose; but with all that they have been singing the sickening songs of no funds. If in such a condition one may be in a position to draw the attention of Government that with the funds available they may be pleased to do the best they can for medical relief in rural areas, this is one of such items to which I strongly draw the attention of the Government. I am not putting the case of urban areas *versus* rural areas, nor do I raise the scientific system of administering medicine. I merely point out to the Government that here is money. The money is inadequate undoubtedly, but howsoever adequate or inadequate it may be, the Government may at least show that they are willing to spend to the best interests of the rural areas. I do not deny the necessity of encouragement of the Unani and Ayurvedic systems in towns, but at the same time I do not lose sight of the fact that in towns there are various other systems by which the people can obtain medical relief, so why not start with the encouragement of the Unani and Ayurvedic system in the rural areas? I think I am not making a proposal which will not receive sympathetic consideration from the Government, nor that it is not supported on strong grounds. I shall only say this much. Let me see if the Government is really crippled for want of funds or want of sympathy.

The Hon'ble the Minister for Local Self-Government : I am entirely in sympathy with the motion of the Leader of the Independent Party. He is quite right in saying that more funds should be placed at the disposal of the Board of Indian Medicine so that they may be able to distribute them for the purpose of dispensaries in rural areas and urban areas. I may inform him that a very substantial portion of the total goes to the rural areas. In fact I make bold to say that the major portion of it goes to rural areas. I do hope it will be possible for me to get more money and to raise the amount to be placed at the disposal of the Board of Indian Medicine. I repeat again that I have nothing but sympathy with the laudable object which my friend has emphasized through this cut.

Raja Jagannath Bakhsh Singh : I am glad the Hon'ble Minister has expressed his sympathy as he did in more than one cut motion. I also agree with him that a substantial amount of this provision could be spent in rural areas. There is no doubt a strong disparity of popu-

[Mr. Jagannath Bakhsh Singh.]

... have a large sum of money in the rural areas. Their case is so strong that the Government should grant them. I have clearly stated my view. In the beginning, as I said, that the whole of this amount would be spent on the relief of rural areas. With this exception of some of the Board of Indian Medicine may think that the case of any other area is unavoidable or more important, their hands are not tied down entirely not to spend it for any other purpose. I think the Hon'ble the Minister has spoken in a way from which I could think that he is willing to accept my motion.

The Hon'ble the President: What is the issue now?

Raja Jagannath Bakhsh Singh: Sir, I have stated the issue. It is that the Government should give the grant to the Board of Indian Medicine on the understanding that almost the entire amount will be spent on the medical relief of rural areas, with this exception that where they think that the allotment of some of the fund is unavoidable in the case of other areas their hands may not be entirely tied down.

The Hon'ble the President: I am afraid this is a very complicated issue.

Raja Jagannath Bakhsh Singh: Then I will request the Chair to simplify it.

The Hon'ble the President: I am afraid the Chair cannot do it. The issue put by the honourable member has so many reservations, omissions and exceptions that it is rather difficult for the House to clearly understand it.

Raja Jagannath Bakhsh Singh: May I just simplify it? The amount may be spent largely in rural areas. Would it be acceptable to the Government if I say that?

The Hon'ble the President: I do not know whether it would be acceptable to Government or not. The Chair is only concerned in it from the point of view of the Chair only.

Raja Jagannath Bakhsh Singh: Sir, the issue is that the grant should be given to the Board of Indian Medicine on the distinct understanding that it is particularly to be given for medical relief in rural areas.

The Hon'ble the Minister for Local Self-Government: If the honourable member wants the major portion of the money to be spent in rural areas, that is practically what is happening now. I may inform my friend that practically 80 per cent. of the grant goes to rural areas. In view of this it is hardly desirable to fetter the discretion of the Board, which is already exercising its power in a very discreet manner. It will not be desirable to issue instructions to them which would fetter their discretion in any way. I do hope that my friend the Leader of the Independent Party will recognize that 80 per cent. of the grant goes to rural areas, and in view of this fact it is hardly necessary to press this motion. The discretion of the Board should not be fettered.

The Hon'ble the President: The question is that a reduction of Re.1 be made under Board of Indian Medicine.

The question was put and negatived, the House having divided as follows :

Ayes 23

Amir Hasan Khan, Munshi.
Anand Sarup, Rai Bahadur Lala.
Chintamani, Mr. C. Y.
Dahari, Mr.
Gajadhar Prasad, Munshi.
Giriraj Singh, Thakur.
Girwar Singh, Rai Bahadur Kunwar.
Govind Chandra, Rai.
Hanuman Singh, Rai Bahadur Thakur.
Jagannath Bakhsh Singh, Raja.
Jagadeva Roy, Rai Bahadur Babu.
Jang Bahadur Singh Bisht, Thakur.
Joti Prasad Upadhyaya, Pandit.

Jwala Saran Kothiwala, Rai Bahadur Sahu.
Kushal Pal Singh, Raja Bahadur.
Muhammad Ali, Chaudhri.
Muneshwar Bakhsh Singh, Thakur.
Prem Ballabh Belwal, Pandit.
Sadayatan Pande, Pandit Shri.
Shiva Dhyani Singh, Rao Sahib Thakur.
Srivastava, Lady Kailash.
Surendra Pratap Sahi, Rai Bahadur Kunwar.
Tappu Ram, Mr.

Noes 43

Adya Prasad, Rai Sahib Babu.
Afzal-ud-din Hyder, Khan Sahib Shaikh.
Ali Zaheer, Syed.
Ambikeshwar Pratap Singh, Raja.
Arjuna Singh, Chaudhri.
Baldeva, Chaudhri.
Bomford, Mr. H.
Buckley Col. H. C.
Clay, The Hon'ble Mr. J. M.
Dhirya Singh, Chaudhri.
Egan, Mr. T. J.
Frampton, Mr. H. J.
Ghasita, Chaudhri.
Ghazanfarullah, Khan Bahadur Hafiz.
Ghulam Husain, Khan Bahadur Shaikh.
Habib-ullah, Shaikh Muhammad.
Hadiyar Khan, Khan Bahadur Muhammad.
Himmat Singh K. Maheshari, Mr.
Imtiaz Ahmad, Khan Sahib Muhammad.
Jafer Hosain, Khan Bahadur Saiyid.
Kharegat, Mr. P. M.
Liaquat Ali Khan, Nawabzada Muhammad.

Maharaj Singh, The Hon'ble Kunwar Sir.
Muhammad Yusuf, The Hon'ble Nawab Sir.
Mushaq Ali Khan, Khan Bahadur Munshi.
Nazar Husain, Khan Bahadur Shah.
Obaid-ur-Rahman Khan, Khan Bahadur Haji Muhammad.
Phul Chand Mogha, Rai Bahadur, Mr.
Pratap Shankar, Mr.
Rahmat Khan, Mr. Muhammad.
Ram Adhin, Rai Sahib
Ram Chandra, Chaudhri.
Rama Charana, Rai Sahib Babu.
Rashid-ud-din Ahmad, Khan Sahib Sahibzada Haji Shaikh Muhammad.
Reid, Mr. A. B.
Ritchie, Mr. J. H.
Sathe, Mr. J. L.
Shakirdad Khan, Khan Bahadur Sirdar Muhammad.
Srivastava, The Hon'ble Sir Jwala P.
Turner, Mr. A. C.
Vikramajit Singh, Rai Bahadur.
Waugh, Mr. A. A.
Zahur Ahmad, Mr.

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan: I beg to move that under sub-head E-Medical School s—(a) Medical School, Agra - 1.--Pay of officers, a reduction of Re. 1 be made.

My aim in moving this motion is just to raise an objection to the way of importing the head of the Institution from other provinces. Last time there was a Provincial Service U. P. man as head of that Institution, but now a doctor from some other province has been imported in these provinces and appointed as the head of the Institution with the result that there is an increase in the expenditure to the extent of thousands of rupees. Last year the amount budgeted under this sub-head was Rs.19,200, but now they are budgeting an amount of Rs.27,600 and the following details are given there :

“ Plus 9, consists of 5, on account of special pay to be drawn by the new Principal and 4, due to his overseas pay being drawn in India”.

[Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan]

Not only that much, but there is a reduction in supplies and services to the extent of Rs.17,000. That is due mainly to the omission of the new provision for the equipment of the Physiology Department of the School in view of the need for economy. When the Government is hard pressed for money and they cannot spend money on objects of real utility, it is highly objectionable that they should import head of the Institution from other provinces on such a high salary as they have done in this case. At the same time I want to know the qualifications and experience of the gentleman who has been imported into these provinces and why his province has spared him. Has he served only in one province or in more than one? What have been his achievements in other provinces? Is there general satisfaction in Agra generally and in the Institution particularly by this appointment or is the case otherwise? It has been insisted in this House that this post should be filled by Provincial Medical Service men but no heed has been paid to that suggestion. Not only that but there used to be at a time only one officer occupying two posts, viz. as civil surgeon of Agra and as principal of the Medical School, but long ago the Government separated those posts and they appointed a Provincial Service man as Principal there at that time. Now they have imported an Indian Medical Service man from some other province and appointed him as Principal. In my opinion it is not to the advantage of the Institution or the province. Therefore I want to protest against this appointment and hope that the Government will see that such an incident does not occur in future.

***Pandit Joti Prasad Upadhyaya.** I am in entire agreement with the honourable mover of this motion. This instance is in my opinion a very glaring instance of the extravagant hopes of the Government. Honourable members are perhaps aware that only some months ago the Principal of the Agra Medical School was a Provincial Service man. He was one of the most eminent doctors in the provinces, and he discharged his duties to the complete satisfaction of the public and the authorities. Now, Sir, in the year 1935 the Government again changed their mind, and after the retirement of that Provincial Service officer, who was acting as Principal, they have again brought in, as the honourable mover says, an officer of the Indian Medical Service to act as Principal of the School. Honourable members are aware that this is a very ordinary school in which undergraduates are admitted for being trained as doctors. It is unnecessary that an officer of the Indian Medical Service should be employed as head of this institution on a salary of Rs.2,000 or Rs.3,000. There can be no greater example of the extravagance of in spending money on the part of Government than the appointment of an Indian Medical Service officer as Principal of Agra Medical School. Even the Agra College at Agra, which is a very big institution pays to its Principal only Rs.1,200, where education is given up to M. A. class. Here is a petty school which imparts education to undergraduates, who on passing their final examination get a pay of Rs.30, Rs.40 or Rs.50. It is ridiculous to employ for such a school a principal on a pay of Rs.2,300 a month. I do not know why the existing change has been made. I hope honourable members will realize the extravagant expenditure involved in this arrangement and lodge their protest against this practice of the Government, which is very wasteful.

Speech not revised by the honourable member.

The Hon'ble the Minister for Local Self-Government: I should like to make the whole position clear. I have no voice in the matter at all. Under Devolution Rule 12 it is the Secretary of State that can force us to have an Indian Medical Service man as Principal of the Medical College of Agra, provided that he was recruited before 10th May, 1928. All those Indian Medical Service officers who have been recruited before 1928 can lay a claim to the principalship of the Agra Medical School. Therefore so far as I am concerned I cannot do anything whatever in the matter. If the Government of India send us anybody, we must accept him as Principal of the Agra Medical School. That is the position. Honourable members are aware that Colonel Barucha is now the Principal of the School. He has come from outside. We had to take him, for he had been sent to us by the Government of India under orders from the Secretary of State. I could not do anything in the matter.

As regards the point raised by my friend, the member for Agra, that preference should be given to Provincial Medical Service men, that is a point about which I need not say much, because I do feel that if a very competent and suitable Provincial Medical Service man is available he should certainly be given a chance. On the other hand if there is a very eminently suitable Indian Medical Service man available he should be appointed. The discretion of the Government must remain absolutely unfettered in a matter like this. I do hope that my friend does not want to make it a preserve for the Provincial Medical Service men. That is all that I can say on this motion. I may at once make it clear that if it is the general wish of the House that the proceedings of this debate should be forwarded to the Government of India, I shall have no objection to it.

Shaikh Muhammad Habib-ullah: Sir, I understand from what has been said on the floor of this House that this post was held before this appointment by a man who belonged to the Provincial Service. Was the sanction of the Secretary of State taken for the appointment of the Provincial Service man to this post? Was the present I. M. S. Principal attached to our province before he was selected for this appointment? Or did the local Government apply to the Government of India to send an I.M.S. man for appointment as Principal of the Agra Medical School? It would be quite a different problem if he were attached to this province and a vacancy arose, because the Hon'ble Minister says that under the orders of the Secretary of State preference will have to be given to an I. M. S. man. May I, therefore, know whether he belonged to this province when he was appointed or whether he claimed as an I.M.S. man that he should be appointed to this post? Or did this Government ask the Government of India to send an I. M. S. man of the rank of Colonel, whose salary is about Rs.2,000, to be appointed to this inferior educational institution at Agra? We do appoint I. M. S. officers and we do borrow their services from the Government of India. But how is it that in this case the local Government did not appoint an I. M. S. man who was already attached to these provinces but imported one from elsewhere and whose salary necessitated an increase in the budget by Rs.5,000?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, it has been evident from the speech of the Hon'ble Minister that this officer does not possess any special qualifications for the Principalship of the Medical School, but that his only claim is that he was appointed before 1918 as an I. M. S. man. In the latter portion of his speech the Hon'ble Minister said that if there is some one who is suitable and the best man available then he should be appointed. There is no objection to that. It has not been established that he is not really such a man who could be called suitable and the best man available. I am sure that if a man had been selected who belonged to this province and was conversant with the local conditions and the needs of this school, he would have been more suitable and better than the present incumbent of the post. At the same time it is highly objectionable that the Government has to spend so much money over this officer and has to curtail expenditure which was really necessary in the interests of the institution and the province. On account of high salaries the Government is unable to spend money on more important items towards which we have been drawing attention of the Government for the last 24 hours or so. The House must protest against this appointment, and I hope that the Hon'ble Minister will forward the proceedings of the debate to the Government of India and at the same time insist that they should write to the Secretary of State that this condition of appointing an I. M. S. man as Principal of the Medical School, Agra, is waived.

The Hon'ble the Minister for Local Self Government : Sir, I have nothing further to add. As I have already said, the proceedings will be forwarded to the Government of India.

The Hon'ble the President : The issue is to protest against the appointment of an I. M. S. officer to the post of the Principal of the Medical School, Agra?

Khan Bahadur Haji Muhammad Obaid-ur-Rahman Khan : Sir, to protest against I. M. S. officers being imported from other provinces on such a high salary for the Principalship of the Medical School, Agra.

The Hon'ble the President : With that object, the question is that under sub-head F—Medical Schools—(a) Medical School, Agra—1. Pay of officers, a reduction of Rs.1 be made.

The question was put and agreed to.

***Mr. C. Y. Chintamani :** I beg to move that under sub-head F—Mental Hospitals, a reduction of Rs.1 be made.

This sum is a hardy annual in the discussion of the budget of the Medical Department. The Local Government are compelled by the Government of India to contribute a substantial amount towards the cost of maintaining the Mental Hospital at Ranchi. That hospital is intended for non-Indian patients. There are mental hospitals in these provinces maintained entirely at the cost of the tax-payers of the United Provinces; and there is no reason why non-Indian patients, who unfortunately have to seek asylum in a mental hospital, should not be admitted into these institutions and treated there. The present arrangement is doubly objectionable. In the first place, it imposes

**Speech not revised by the honourable member.*

upon the slender resources of the local Government a burden which they cannot bear without the curtailment of necessities and without a certain amount of hardship. In the second place, it is invidious. It presupposes that arrangements which are quite enough for Indians in India are not quite enough for 'non Indians' in India. We have repeated these objections over and over again, year after year, from our places in this House. The local Government are not in a position to meet our wishes or objections. Rightly or wrongly, they have committed themselves to the Government of India to pay this annual charge. They are in the same position in this matter as they are in respect of I. M. S. appointments generally in the province. In these circumstances, I trust that the local Government will, following precedents, content themselves with the discharge of their duty to superior authority by raising an opposition to our motion, but will not challenge the correctness of the position we have taken. In this hope and belief I will refrain from saying anything further at present. But if my hope and belief are disappointed, then I shall say more in reply.

The Hon'ble the Minister for Local Self-Government: Sir, I should like to make the position clear with regard to this question. This question was discussed some years back on the floor of this House at great length. At that time it was felt that the expenditure on the Ranchi Hospital was very heavy indeed—it was in the neighbourhood of Rs.1,32,000—and the general feeling of the House was that we should also make arrangements in our provinces to transfer as many patients from the Ranchi Hospital here as possible, and that this would effect economy. But at the same time it was felt that it could not be said that we would be fair to this Hospital if we took up the attitude that we were not prepared to send any patients at all to the Ranchi Hospital. This Hospital was established with our willing consent and co-operation. At that time it was clearly understood by the Government of India that this Government will continue to send these patients to the Ranchi Hospital. This is an all-India institution though managed by the Government of Bihar and Orissa. Honourable members will recognize that in such matters we cannot ignore the interests of Europeans and Anglo-Indians. I may also inform the House that the cost of sending European and Anglo-Indian patients to this hospital is now only Rs.48,000. Originally it was Rs.1,32,000; it fell down to Rs. 80,000 and it has further gone down to Rs.48,000. We have also made arrangements here in this province for as many as 16 Anglo-Indian pauper patients who have been admitted to the Agra Mental Hospital.

Khan Bahadur Haji Muhammad Obaid ur-Rahman Khan: How many are there at Ranchi?

The Hon'ble the Minister for Local Self-Government: About 40.

Under the rules made by the Government of India we have to provide money according to the number of patients we send to the Ranchi Hospital, and it costs roughly Rs.1,500 per head. So honourable members will recognize that we are morally bound to help this institution and that nothing should be done to disestablish it or impair

[The Hon'ble the Minister for Local Self-Government.]

the position of this institution, which is of a unique kind and which is really a great boon to Europeans and Anglo-Indians of Northern India.

Khan Bahadur Saiyid Jafer Hosain: Do patients come from other provinces also?

The Hon'ble the Minister for Local Self-Government: Yes, Sir. They come from the Punjab, Bengal, Central Province, and United Provinces. So it is clear that it will not be an easy thing for us to say that we would not send any patients to this institution. Then, Sir, we have also no proper and adequate arrangements here in this province for keeping as many as 40 patients. We have just made a small beginning with a view to effect some economy. The efficiency of the Ranchi Hospital is very great and the best medical aid is available there and therefore we would fail in our duty if we refuse to send our patients there. I may inform this honourable House that there is no question now of keeping this hospital entirely reserved for Anglo-Indians and Europeans. Ten beds are going to be reserved at the Ranchi Hospital for such Indians as live in European style. So it will be seen that a possible objection that there is no room even for Indians living in European style is gone. I hope the House will be inclined to take a very charitable view and in view of the fact that for want of funds we cannot run a similar institution of our own at present it is only fair and proper that we should continue to send these European and Anglo-Indian patients to the Ranchi Hospital. As I have already pointed out we are morally committed to maintain this hospital, because we agreed with the Government of India when this hospital was established as an all-India institution that we will continue to send our men to this hospital. If we discontinue to do so, obviously this hospital cannot be maintained. That will be against the interests of the Europeans and Anglo-Indians. I hope the House will be inclined to take a charitable view of the whole position. In view of the fact that Indians are also allowed to go there there is no discrimination, and therefore that argument also cannot now be advanced. I hope in view of what I have said, my friend the mover will withdraw his motion.

(The Council, at this stage, adjourned for lunch at 1.30 p.m.)

(After recess the House re-assembled at 2.15 p.m. with the Deputy President in the Chair.)

Shaikh Muhammad Habib-ullah: Sir, this is not a new motion. A similar motion has been before the House and was discussed at full length. But I agree with my friend the mover of the resolution that even if things of this kind have been discussed before we must go on repeating them if we think they are bad in principle. The honourable mover of the resolution has cut down the amount of his motion from Rs.57,293 to Re.1 and by this he means that he wants to discuss it on principle. It was said before the recess time that a contract was entered into between this Government and the Government of India some years ago and it was in pursuance of that arrangement that this province had to pay its share for the maintenance of this mental hospital. These are the days when the sanctity of contracts must be carefully measured and weighed. The Government which entered into this contract was the pre-reform Government, the Government

which had affluent means, the Government which was not suffering from financial depression, the Government which was run by one person and which was not responsible to any legislature or other body. But constituted as we are today, we have got to consider our contracts and the sanctity of old contracts with all earnestness. In doing so our first consideration should be our financial position as it is today. Now, we should not follow the example of Germany and say that old contracts should be altogether ignored and denied. After all we are Indians and have the sentiments of Indians as regards contracts made by our predecessors. There is no doubt that Ranchi is an all-India institution to which every province contributes its quota for its maintenance. Of course this is an old arrangement which was started specially for a particular class of people. Now it is matter of some satisfaction to hear from the Hon'ble Minister that it is no longer an exclusive institution and that they are beginning to take also *café au lait*, I mean the dark-coloured people. The Hon'ble Minister has said that for the 40 people that are admitted there we have got to pay Rs.48,000, and in our own institution we maintain about 16 persons. The Hon'ble Minister must be now in a position to know what is the approximate cost of the upkeep of 16 persons in our own mental hospital and from this to infer whether Rs.48,000 is not proportionately a bigger amount. What I would suggest, Sir, is that we should as far as possible gradually reduce our quota. We must explain to the Government of India and the Government of Bihar and Orissa, where Ranchi is situated that we have started our own Mental Hospital and that in these hard days we would rather like to maintain our own hospital at a much smaller cost and thus save the amount of quota that we have got to pay to the province of Bihar and Orissa. I am not for denying totally the payment of the amount, nor is the mover, so far as I could understand from the attitude which he adopted in moving his motion as he reduced the amount from Rs.57,000 to Re.1. We look upon this quota as bad in principle and we appeal to the Hon'ble Minister to try his best to reduce it gradually, so that within a few years it might become nil.

Munshi Amir Hasan Khan : Sir, some of us are trying to cut off a provision which is in favour of the sick, invalid, and mentally disturbed; not against gentlemen or individuals who are sane. They may be either Indians, Christians, Anglo-Indians, Burmese or Tibetans that matters little. If they are accommodated at Ranchi they deserve our sympathy and it does not matter whether the money to support them goes from this House or it goes from Bihar and Orissa. I suggest that steps may be taken to transfer those 40 persons to the provinces to which they belong, and if they are non-Indians they should be kept and treated at a suitable place because the local Government entered into an agreement with the Government of India and the House assured the Government of India that the Government will maintain that hospital and it was then that it was started. There is no justification to turn round and say : "No, we do not want." These are not political considerations where people change their views every minute. Tolerance, fellow feeling and universal brotherhood should guide us in such matters. I am told that about Rs.1,20,000 were contributed by this Government towards this institution before; after that it was reduced

[Khan Bahadur Saiyid Jafer Hosain.]

to Rs.80,000 and now it has been reduced still further. Therefore we should not grudge it, as I hope we will not grudge it in the case of the sons of our soil. It does not matter who they are. The distinction of race, creed and colour should not weigh much. We contributed to Bihar, Quetta and other calamities.

Khan Bahadur Saiyid Jafer Hosain : Sir, the motion as it stands is for eliminating the entire amount under the head budgeted for the provincial share of the cost of European Mental Hospital, at Ranchi. Sir, I have every sympathy with the object in view. I think the time has come when an attempt should be made to house the patients, who used to be sent to the Mental Hospital at Ranchi, in the mental hospitals which we have in our own province. I understand that it is not a matter which can be decided all at once and the policy underlying it could be carried out within the space of a single year. But an attempt should be made in this way that a representation should be made to the Government of India stating that we are in a position to locate in our mental hospitals more patients and that we would be able to take over the entire number of patients from this province in the next two or three years. I do not think there will be any difficulty with the Government of India not acceding to the request so made by this Government. I do not take the line, that because they are Europeans and Anglo-Indians therefore they should not be sent to the Mental Hospital at Ranchi. This is only a business proposition. The question is whether by housing these patients in our province we can effect economy. If we can effect economy, as undoubtedly we can I think it is our duty to make an attempt to house them in our hospitals. As regards equipment, etc., of course it will take time. It will not do for us to equip a hospital all at once, because that will entail a much larger expenditure and there will not be any saving at all. On the contrary, if we house the patients in our mental hospital gradually it will involve a smaller amount of expenditure than we at present incur in making a contribution to the Ranchi Hospital. By gradually taking over the patients from that mental hospital to our own mental hospital we will be in a position in the course of the next two or three years to dispense with this method which we have been practising so far, and by that way I am sure we will be in a position to save at least Rs.20,000 to Rs.25,000 every year. In these days of financial stringency I think this is a sum which should not be lost sight of by Government. My main point is that this Government should start correspondence with the Government of India on the point. There is absolutely no harm in doing that, harm in the sense that we would be depriving the patients of treatment in that hospital. We have got mental hospitals here, and as the Hon'ble Minister said some time ago we already house 16 patients in our own mental hospitals. There is no reason why that number should not be increased in the course of the next few years so as to house all the patients in our province ultimately.

Pandit Joti Prasad Upadhyaya : I am in entire agreement with the mover for omitting the entire amount of Rs.57,000 odd.

The Deputy President : It is only a token cut of Re.1. The honourable mover has amended the motion.

*Speech not revised by the honourable member.

Pandit Joti Prasad Upadhyaya : It is for omitting Rs.57,293.

The Deputy President : It has since been amended; now it is only a cut of Re.1.

***Pandit Joti Prasad Upadhyaya :** I lodge my protest against this sum being contributed for the maintenance of the Mental Hospital at Ranchi. I understand, Sir, that there is a very well-equipped hospital at Agra for mental patients on which Government spends about Rs.2 lakhs every year. Now this hospital at Agra has 800 or 900 patients. If honourable members will see the budget they will find that Rs. 55,400 is spent for the maintenance and diet expenses of these patients. As the Hon'ble Minister explained in his speech only a short while ago, the local Government has to contribute Rs. 57,000 for the upkeep of 48 patients in the Mental Hospital at Ranchi. There is no doubt that this is a very heavy expenditure and the finances of our provinces which are in a very unsatisfactory state cannot afford to give this amount to this hospital. But there is a practical difficulty, that if this Government forthwith resolves to stop paying this amount for the maintenance of the Mental Hospital at Ranchi the whole institution will be in jeopardy and it will be very difficult for the Bihar Government to run this institution on efficient lines.

I have seen that arrangements have already been made at the Mental Hospital at Agra for keeping a certain number of Anglo-Indian and European patients. New wards have been constructed, and buildings have been vacated in which these patients will be kept. I understand that the upkeep of these patients is much lower in the Agra Mental Hospital than in Ranchi. It will be better, therefore, and it is a practical suggestion which I am making to the Hon'ble Minister, that this Government may enter into correspondence with the Government of India, so that gradually no patient of this province is sent to the Ranchi Hospital and provision is made at Agra for keeping all the patients, whether Europeans, Anglo-Indians or Indians. I think this Ranchi Hospital is only a relic of the old times when racial discrimination was at its highest pitch. Ordinarily there is no harm in keeping all classes of patients in the Mental Hospital at Agra whether Indian or European or Anglo-Indian. Of course separate arrangements should be made according to their status and standard of life, just as is being done at Agra in the case of Anglo-Indian patients. There are, I know, about 15 or 20 Anglo-Indian and European patients at Agra and they are being well kept. I have seen it and I do not think anybody can say that they are uncomfortable or not properly treated there. We have got there a very efficient Superintendent who can very well look after these patients.

The Hon'ble the Minister for Local Self-Government : Sir, May I rise to a point of order? I find that this figure is non-voted under F—Mental Hospitals Provincial contribution.

The Deputy President : Will the Hon'ble Minister kindly look at the motion? It says : Under sub-head F—Mental Hospitals, and there is a voted demand of Rs. 1, 87 thousand under this sub-head.

The Hon'ble the Minister for Local Self-Government : Sir, what I meant to say is this. The original figure was Rs. 57,223 which was non-voted which has now been reduced to Re. 1.

* Speech not revised by the honourable member.

The Deputy President : Under the total of Mental Hospitals there is an item of Rs. 1,87,941 which is voted.

The Hon'ble the Minister for Local Self-Government : I take it, Sir, that he wanted to move a motion for the cut of Rs. 57,293 and now he has reduced it to Re. 1. He has not reduced Re. 1 out of the total figure.

The Deputy President : Even if the honourable member had moved his cut in the form in which he had given notice it would have been quite in order ; because in the motion here it is not stated that the amount referred to is that to which the Hon'ble Minister has drawn the attention of the Chair. The honourable member had given notice to reduce the total by Rs. 57,293, but since then he has amended it and now he proposes that a reduction of only Re. 1 be made. The motion of the honourable mover is quite in order.

***Mr. C. Y. Chintamani :** Sir, I am glad to find that the motion that I have raised before the House has found support from every non-official member who has taken part in the discussion. Therefore I would only deal with the speech of the Hon'ble the Minister. The Hon'ble the Minister has told us that the local Government had committed themselves to the Government of India to make this contribution. I do not dispute this statement of fact. But, Sir, the local Government is an entity different from the Legislative Council. If the local Government before entering into that commitment had come before the Council and had taken the consent of the Council to that commitment, then I would have had to admit that we were bound to respect that obligation. Actually the local Government did this without the knowledge or the consent of the Council, and therefore whatever may be the commitments of the local Government the Council is not bound by those commitments. Actually year after year we have discussed this subject and we have recorded our opinion unmistakably that we do not approve of this contribution. If we do that today, we shall only be repeating what we have hitherto said. Whereas if this motion is thrown out the Council will be going back upon its recorded opinion of past years. The Hon'ble Minister knows that very well.

Next, Sir, the Hon'ble Minister has appealed to our instinct of charity. But Sir, charity begins at home. I admit it ought not to end at home, as it so often does. Justice must come before generosity. When the Hon'ble Minister pleaded his utter inability due to lack of funds to supply medical aid to the poor people of rural areas who maintain this Government, then he ought not to plead that charity to others. Actually however where comes in this question of charity? Who will say that Europeans or Anglo-Indians, who unfortunately become of unsound mind should not be treated at all? No. We say, they should be accorded precisely the same treatment which is accorded to any Indian or other men in the same unfortunate position. We do not say that they should not be admitted into the Mental Hospital at Agra or Bareilly. Therefore the question of charity does not arise. Sir, May I know why there is this continued insistence upon separate treatment for Europeans and Anglo-Indians

in every sphere of life? There must be separate European schools. There must be separate Anglo-Indian schools. Even in railways there are schools for the two communities Europeans and Anglo-Indians on one side and Indians on the other must be separate. If European pupils would not consent or are regarded as too high for teaching by Indian masters, I am sorry that European teachers should not teach Indian boys. On the other hand they are only too willing to find engagements in Indian schools. European patients must have European doctors. That is the excuse that is put forward for the reservation of places where there are important sections of the European community for European officers of the Indian Medical Service as Civil Surgeons. I am only sorry that European doctors do not refuse to treat non-European patients. Not only do they not refuse but they come down upon Indian assistant surgeons who do not find sufficient work in the way of private practice for European Civil Surgeons where they are posted. It is a notorious fact that any assistant surgeon who does not reserve all major operations and other remunerative cases for European Civil Surgeons is not a *persona grata* with his European official superiors. European prisoners must have separate accommodation and special treatment because they are Europeans. Europeans who are sentenced must only be whipped by Anglo-Indians or Europeans but not by Indians. Everything must be separate. They have been here, these Europeans, for nearly more than two centuries, as rulers for nearly two centuries, and yet they have not been able to imbibe a single habit of the people among whom they have lived, moved and spent the best part of their life. They have shown a singular incapacity for assimilation.

Shaikh Muhammad Habib-ullah : They wear pyjamas.

Mr. C. Y. Chintamani : Do they wear dhotis? Do they chew *pans*?

Now, Sir, at one time.—I do not know whether it is so even now—Indian revenues were made to contribute to the cost of a lunatic asylum at Ealing, one of the suburbs of London. A very large sum of money running into tens of thousands of pounds used to be a regular annual item as a part of the home charges levied from the Indian revenues by the Secretary of State for India. Now European lunatics and Anglo-Indian lunatics must be a special charge upon Indian revenues. Ranchi is not in the United Provinces, but Europeans whom either the climate or circumstances convert into lunatics in the United Provinces must be treated, I suppose, as members of the ruling race who even in their insane condition must be located in a hill station and accorded special privileges. All this is intolerable. If it were not so serious, it is so ridiculous.

Now the Hon'ble Minister will not be in a position of embarrassment if this motion is carried, because the amount is there; it will be reduced only by one rupee. That does not touch him at all. He can fulfil his obligation later. But if we carry this motion, he as an Indian Minister, as an elected member of the Council, as one responsible to the Council, will be able, in forwarding the proceedings of this House, to state to higher authorities the difficult position in which he is placed year after year by this charge being levied upon the provincial revenues and by his being compelled to bring this item before the Legislative Council which has shown itself every year unwilling to bear this burden.

[The Hon'ble the Minister for Local Self Government.]

Therefore, far from embarrassing him, we shall be assisting him like true friends by carrying the motion, and for that reason I trust that this motion will be carried and that he will undertake in forwarding the proceeding to give his views upon it publicly, but in an official letter, giving his support to the wish of the House that this charge may no longer be levied upon him.

The Hon'ble the Minister for Local Self Government. The Leader of the Opposition has tried to make out that I am only trying to keep the sanctity of a part of their contract that this Government made with the Government of India when this Ranchi Hospital was established. That is one reason no doubt why we should not on a moment's notice try to withdraw so many patients from a hospital which is being run so efficiently and which has always been run in the best interests of the province, so far as the Anglo-Indian and European patients are concerned. The point that I want to make is that, as I have done before, that this is the most economical arrangement that we could come to. If we were to withdraw the patients, as many as forty in number, then we should have to make arrangements for their accommodation somewhere. We shall have to make a new wing in the Mental Hospital here, equip it well and run it efficiently, which will easily cost us about two lakhs of rupees. So honourable members will see that the best course for us is, on the one hand, to go on slowly making arrangements, bearing in mind our own financial limitations for accommodating as many Anglo-Indians and Europeans as we can, and on the other hand go on sending as many European patients to the Ranchi Hospital as we can afford to. This is the only arrangement which is feasible and practicable and is calculated to effect economies. Obviously we cannot spend two lakhs of rupees, off-hand. On the other hand we shall be embarrassing the Government of Bihar and also the Government of India if we say that we want to withdraw the patients at once. That would seriously affect the Ranchi Hospital. The arrangement that I suggested is the best possible in the circumstances. We should continue to make efficient arrangements at the Mental Hospital at Agra, and at the same time go on withdrawing more patients from the Ranchi Hospital. But there can be no question of stopping the people from going to Ranchi Hospital altogether, for even if it were possible there is no room here to accommodate them. We cannot accord to them the same treatment here, and it would be nothing sort of cruelty to tell these people "We will not send you any more to the Ranchi Hospital." That will be a very ungenerous attitude on our part to take.

It has been pointed out by the Leader of the Opposition. It is one of those questions which come up annually and which at the end of the discussion one feels like withdrawing. This question was raised a few years back and was withdrawn. It has never been pressed and carried by the House. My friend's point that the Council will be stultifying itself if it does not vote in favour of this motion is wrong because the House has always withdrawn the motion after the matter has been discussed. I think that it is the general opinion of the House today also that the process of withdrawing our patients from the Ranchi Hospital must necessarily be a slow one, but that the process must continue. Obviously the House cannot press

upon the Government to take any action which cannot be regarded as an economical measure. The present arrangement is calculated on the one hand to serve the best interests of the people concerned and on the other to effect economy which we all desire.

One grievance which has been pointed out by the honourable members before is that Indians were not admitted into this hospital. Now ten beds are reserved for Indians, who live in European style and that grievance has been removed. No racial question is therefore involved. The only question is that the treatment which we are meting out to the Anglo-Indians and Europeans should continue as long as we do not really make efficient arrangements in our province to accommodate them all to treat them. That is what the House has already agreed to. I shall go on as far as possible making arrangements for accommodating as many persons in the Mental Hospital in the United Provinces as possible, and in the meanwhile we will go on sending the rest to the Ranchi Hospital because this is most economical arrangement and is in the best interests of the people concerned. I do hope that in view of what I have said the Leader of the Opposition will withdraw his motion.

Rai Bahadur Vikramajit Singh : Sir, may I put a question? Will the Hon'ble Minister be pleased to send the proceedings of the debate to the Government of India?

The Hon'ble the Minister for Local Self-Government : Sir, I have no objection to forwarding the proceedings of the debate to the Government of India.

Rao Sahib Thakur Shiva Dhyan Singh : Sir, I want to put a question to the Hon'ble the Minister.

کیا آنریبل منسٹر صاحب بتلائیں گے کہ کتنے انگریز صاحبان دماغی بیماری کے علاج کے واسطے رانچی بھیجے گئے اور کتنے ہندوستانی صاحبان بھیجے گئے اور کیا منجملہ ان کے کوئی غریب کسان بھی آپ کے یہاں سے بھیجا گیا؟

The Deputy President :

آپ نے تو ایک سوال کے لئے کہا تھا یہ تو کئی ایک سوال ہو گئے۔ بعد میں دریافت کر لیجیگا۔

(After—pause.)

The Deputy President : What is the issue?

Mr. C. Y. Chintamani : The issue is to protest against the annual contribution to the Government of India for the maintenance of the Mental Hospital at Ranchi.

The Deputy President : The issue has been stated by the honourable mover himself. With that issue the motion is being put to the House.

The question is that under sub-head F—Mental Hospitals, a reduction of Rs. 1 be made.

The question was put and agreed to.

Rai Bahadur Vikramajit Singh: I beg to move that under the entire head, a reduction of Re.1 be made.

My object in moving this motion, Sir, is to recommend to Government to rescind amendments to the rules framed under section 2 of the Poisons Act, dated the 29th September, 1933, and dated the 15th April, 1935. These amendments adversely affect the qualified medical practitioners in the exercise of their profession. In the year 1934, a similar motion was moved by my honourable friend, Chaudhri Dhirya Singh; and on that motion I spoke at some length. Those proceedings are printed on page 694. I will not take much of the time of the Council in moving my resolution which I submit is a very simple one. The Government made certain amendments in the rules which they had framed under section 2 of the Poisons Act, and the rules as were framed were very harmful to the medical practitioners throughout the province: in fact, no self-respecting medical practitioner in the province could accept a position of that nature. The medical practitioners have been smarting under the injury for the the entire period that these rules have been in force. The medical practitioners of the entire province met and passed resolutions against these rules. The Medical Council also met and passed a unanimous resolution that these amendments ought to be rescinded; and I wish to draw the attention of the Hon'ble Minister and the Government to that resolution. The resolution of the Medical Council which they passed unanimously at their meeting on 26th November, 1935, recommends to the Government to be pleased to rescind amendments framed under section 2 of the Poisons Act, dated the 15th April, 1935, and 29th September, 1933, because the said amendments adversely affect qualified medical practitioners in the exercise of their profession and are contrary to the provisions of section 9(1) of the said Act which specifically exempt medical practitioners from any rule made under that Act. It is significant that when this resolution was passed unanimously, the following eminent medical men of this province were present:

Colonel H. C. Buckley, Dr. Morton, Lt.-Col. Townsend, Lt.-Col. H. Stott, Lt.-Col. J. C. Bharucha, Rai Bahadur Dr. K. L. Chaudhri, Rai Bahadur Dr. B. N. Vyas, Rai Bahadur Dr. R. N. Bhatia, Captain K. P. Bagchi, Captain Misra, Captain Rabindra Nath Bose, Dr. Tapeshwar Nath Caul, Rai Sahib Dr. Ram Narain Lal, Dr. Shiv Lal Sharma, and Dr. Kunj Bihari Lal Varma.

This shows very clearly that the medical profession as a whole, both Indian and European, is entirely against these amendments to the rules. I do not know who advised the Hon'ble Minister to frame those rules which are entirely harmful, if not mischievous. These rules, Sir, should not have been framed. If I were to say just a few things in order to elucidate the point, it would show that the rules were framed in connexion with the drugs which are narrated as 29 in number, but whose preparations were something like 300. These drugs contain drugs like aconite, belladonna, and various other drugs which I think are used by all the medical practitioners daily; and I do not know if any prescription for any disease can be written without mentioning one of these 300 preparations which are mentioned in the Schedule. So that it will come to this that any prescription

written by a medical practitioner, which would be dispensed in a certain medical hall or dispensary, will be effected or controlled by these rules. Now, Sir, we all know that medical practitioners here have got their own medical halls and dispensaries. It is not only their own prescriptions which are dispensed there, but the prescriptions of other medical practitioners are also dispensed there and consequently these rules affect all these medical practitioners who keep a dispensary. No medical practitioner can keep a dispensary merely for dispensing his own prescriptions. It can be run only when he dispenses prescriptions of other medical practitioners as well. This is the difficulty of the dispensary as well as of the medical practitioners. Everybody knows that many civil surgeons and assistant surgeons have not got their own dispensaries and their prescriptions must needs go to be dispensed in one of these private dispensaries.

Now, Sir, as far as I have seen the Act, it does not appear to be the original intention of the framers of the Act to rope in all the medical practitioners. The Act was intended entirely for a different purpose. The Act was passed in the year 1917 and up to the year 1933 amendments of this nature were not made in the rules. It was only in 1933 that some very intelligent person thought that they could rope in all the practitioners in a particular manner. Sir, section 2 of the Act runs thus:

“Subject to the control of the Governor General in Council the Local Government may by rule regulate within the whole or any part of the territory under its administration, the position or sale, whether wholesale or retail, of any specific poison.”

Therefore it was for the vend of poisons that this Act was framed. It was not for medical practitioners that this Act was framed as will be found from section 9 of the Poisons Act. It says: “Nothing in this Act or in any licence granted or rule made thereunder, shall extend to or interfere with anything done in good faith in the exercise of his profession as such by a medical or veterinary practitioner.”

Consequently it was never intended that a bona fide medical practitioner should be controlled by any of the rules made under the Poisons Act. It was merely intended to regulate the sale or vend of poisons. The rules that have been framed have affected the medical practitioners in various ways. They say that they must take out licences for these drugs. They further say that in writing the prescription a medical practitioner must sign his name in full and date it. We all know how busy the medical practitioner generally is when 100 patients go to him in the morning for medicine. Not only that but he has also to write the full address of the patient for whom he prescribes a particular drug, so that he may be traced. Of course, he writes the name of the patient so far as it is necessary for his purposes. Then he has got to keep a register of every minim and drop of the drug used so that the whole thing may be totalled up and the stock checked. Then, Sir, these books will be open to inspection by an excise inspector. Sir, this is an indignity to which the whole of the medical profession cannot submit and it is for this reason that the medical profession as a whole has protested against these rules and they have unanimously passed a resolution in the Medical Council

[Rai Bahadur Vikramajit Singh.]

which has got very eminent men on it. I understand that representations have also been made to the Hon'ble Minister by the medical practitioners and they have also waited in deputation on the Hon'ble Minister. I really fail to see any justification for continuing rules of that nature.

Now, Sir, on the last occasion when I put forward my motion, Colonel Proctor in his opening speech in reply said and I will just read from what he said. Although he considered my speech to be very reasonable, still no action has been taken to redress the grievance. He said: "The honourable Leader of the Constitutionist Party has, I think, stated the case against the Poisons Act very fairly and very reasonably." But no result has come of that compliment which Colonel Proctor was pleased to pay. In that speech he further said: "The position is quite correctly stated that a practitioner who sells or dispenses medicine of prescriptions other than his own must take out a licence." Consequently the position which I stated was admitted by the Government, but one is surprised to find the justification put forward by Colonel Proctor at that time. He advanced two reasons, firstly that in England and foreign countries rules like this prevail, and secondly that it was in accordance with the wishes of the League of Nations that this was being done. I shall dispose of this question of the League of Nations. I do not think the League of Nations is concerned with all the twenty-nine drugs: they may be concerned with cocaine or opium. But here all kinds of drugs have been roped in. At the same time I do not think that in order to comply with the wishes of the League of Nations it was necessary to penalize the entire medical profession, which is a very noble profession and in which we have got men of great respectability, great competency and integrity. We can not condemn the whole body and show that we have got no reliance in them, ask them to take out licences and subject them to the indignity of their books being examined by any Excise Inspector. With regard to the argument that things like this prevail in foreign countries, I submit that the position here is entirely different from the condition in the foreign countries. I do not know whether in those countries the medical practitioners keep their own medical halls. If medical halls are not kept by the medical practitioners, but they are kept by chemists, we have got nothing to say then. But my position is that where the medical practitioners, as it is customary in these provinces, keep their own medical halls, in that case it is not fair to call upon them to take out licences and to treat them as if they were the vendors of poisons. They really prescribe medicines in which some of the poisonous drugs are used. Consequently my submission is that these rules are very harmful to the entire profession and no self-respecting medical practitioner can accept a position of that nature. Although the Hon'ble Minister in the year 1934 told us that he will reconsider the position and examine the whole question, but nothing has turned out. The only thing which was done was that in the year 1935 some of the drugs were taken out of that category. Sir, that is not the solution of the problem. Therefore I ask the Government to accept the motion which I have placed before the House, as it is in the interest of the profession. The whole thing worked very well up to the year 1933. But then some gentlemen thought that he could frame rules of that

nature, which probably in his opinion were not considered to be harmful to the profession. It has now been found by actual practice and it is the unanimous opinion of the medical profession that these rules are very harsh and are disliked by the people for whom they were framed. Consequently I will ask the Hon'ble Minister to accept the motion which I am placing before the House.

(During the course of the above speech the Hon'ble the President resumed the Chair at 3.5 p.m.).

Mr. A. B. Reid : Sir, this being the first occasion on which I have had the honour of addressing the House, I will in advance crave the indulgence of the House for any mistakes or lapses which I may make in the few remarks which I propose, to address it now. I rise to speak upon the subject as it is rather an intricate one, perhaps more intricate than would appear from the speech of the honourable member who has just sat down. The whole of this very troublesome case arose out of a resolution of the United Provinces Medical Council itself which was passed on the 3rd March, 1930, asking the Government to take steps to ensure—

“(a) that medical practitioners not possessing qualifications registrable under the United Provinces Medical Act be debarred from prescribing any of the poisonous British pharmacopoeial preparations. Nor should it be permissible for such practitioners to keep these drugs in their dispensaries or stores without the possession of a druggist's licence;

(b) that medical practitioners not registered under the United Provinces Medical Act be debarred from prescribing any of the poisonous British pharmacopoeial preparations. Nor should it be permissible for unregistered practitioners to keep these drugs in their dispensaries or stores without the possession of a druggist's licence.”

That is the beginning of the whole case. I submit that the action which has been referred to in this motion arose directly out of the resolution which the United Provinces Medical Council passed some six years ago. Since then the Government took action and issued these rules under the Act which have been just referred to. I do not wish to take up the time of the House, but should like to explain what is the precise position of these rules. They affect differently the three classes of people who are covered by them, firstly, registered medical practitioners, secondly, medical practitioners who have registrable qualifications but have not applied for registration or secured it, and thirdly, medical practitioners who have not registrable qualifications at all. Under the rules as they stand at present the position as regards registered medical practitioners is as follows. They are not required to take out licences for the sale or possession of poisons if they dispense only their own prescriptions in their own dispensaries so long as they keep in book form a register of their purchases of the poisons enumerated in the schedules to the Rules. Such medical practitioners however, if they dispense poisons on prescriptions of other practitioners have to register their names with the District Magistrates and have to maintain a record of all their sales of poisons. They have also

[Mr. A. B. Reid.]

to file a statement with the District Magistrate of all the sales with copies of vouchers for each 12 months. That is the position as regards registered practitioners. With regard to medical practitioners who are qualified to be registered but have not applied for registration, the position is that they are required to take out licences for the possession and sale of poisons in their dispensaries whether they dispense their own prescriptions or those of other doctors containing the poisons covered by the schedule referred to. As regards the last class—that of practitioners without registrable qualifications, they cannot at all be granted licences to deal in these poisons. That is the position as it stands. After two successive amendments of the rules which were made to remove the grievances from which it was represented the practitioners were suffering as a consequence of the rules, the last amendment to the rules issued on 15th April, 1935. It was hoped, oversanguinely, that that amendment would settle the case. But that amendment brought nothing but a shower, or rather a storm of protests. A large portion of my time in the last six months, much larger than I could conveniently spare, has been taken up in considering what we could do to deal with these protests. The Government has certainly not been indifferent to the question, nor have they ignored the protests, though up to now no tangible result of their deliberations has appeared. The matter chiefly to mention in this connexion is that some fifteen days ago the Hon'ble Minister received a delegation of the United Provinces Branch of the Indian Medical Association which spoke upon the subject at length. A very important fact emerged from the address which that delegation presented to the Hon'ble Minister. That important fact was—it has not been mentioned by the honourable member who has just sat down—that the delegation was not concerned with, and had no representation to make, on behalf of qualified medical practitioners who dispense poisons on prescriptions other than their own and to outside patients and who thus keep what are known as "medical halls", which are practically chemists' shops. The delegation did not champion the cause of such practitioners. It distinctly said that it did not do so. What the delegation did ask was that the rules should be swept away entirely in the case of registered practitioners who dispense poisons only on their own prescriptions. I must add that it made the same request on behalf of unregistered practitioners who have registrable qualifications but who have not applied for registration. Well, Sir, we have considered the proposals made by the delegation and given them our best attention, and we propose to adopt the distinction which the delegation proposed to draw between practitioners who dispense poisons only on their own prescriptions to their own patients and practitioners who dispense poisons on other doctors' prescriptions to other doctors' patients in what are practically chemists' shops. On that general principle what we are thinking of doing—no final decision has yet been taken—is to amend the rules as follows:

We propose to maintain the disability of practitioners who have no registrable qualifications. We do not propose to touch the rule which debars such practitioners from obtaining B. P. poisons licences. Nobody has ever asked us to amend the rules in this respect, and the

rules appear to be unobjectionable. As regards registered practitioners, we propose to do away with all the rules in their relation to such practitioners if they dispense poisons only on their own prescriptions.

Rai Bahadur Vikramajit Singh : But that exists even now. People who dispense poisons on their own prescriptions are required to keep registers.

Mr A. B. Reid : We propose to do away with this system by which they have got to keep registers and file certain reports with the District Magistrate. We propose to maintain that system only in the case of registered practitioners who keep "open chemists' shops" as defined by the Indian Medical Association delegation itself and we propose that such practitioners shall be required only to register their names with the District Magistrate and maintain a record of their sale of poisons to other than their own patients. That is to say, in neither case do we propose in future to require registered medical practitioners to take out B. P. licences. The necessity of taking out licences is the real grievance as I understand, which the medical profession has against these rules, and we propose to sweep that necessity away. Then there remains the third class, that is the class of medical practitioners who have registrable qualifications but who have declined to register themselves, and for whatever reason be, have not approached the Medical Council for registration. There are two possible ways of dealing with this class. The delegation asked that such practitioners should be placed on the same footing as registered practitioners. That is one view. The other view is that it is only proper in this matter to maintain a distinction between registered practitioners and unregistered practitioners who will not take the trouble or expense of getting themselves registered. That is the view which has been strongly pressed on us from certain quarters, the argument being that if you do nothing to maintain a distinction, all doctors will decline to register themselves, and that there is no point in having registration if you do not confer any privileges or advantages on registered practitioners as compared with unregistered practitioners. If the first view is adopted the position as I have explained it, as it will be in future in relation to registered practitioners, will apply to unregistered practitioners. If the second view is adopted, the existing rules will be continued for unregistered practitioners with registrable qualifications. We have not yet made up our mind what to do on this point. Then there is still a difficulty about the case of unregistered practitioners; but I think I can say that otherwise we are prepared to amend the rules as I have explained. I have in front of me a draft from the Honorary Provincial Secretary of the Indian Medical Association saying that his Association accepts the proposals as I have stated them, if they are applied to unregistered practitioners as well as registered practitioners. We have gone into the matter with very great care and in great detail. I also want to correct the honourable mover when he said that excise inspectors are still required to check the records and registers of registered practitioners. That is not the case. The proviso laying duties on excise inspector was taken out of the rules when they were amended once before. That, however, is incidental. I have only mentioned the matter in order to correct misunderstanding.

[Nawabzada Muhammad Liaquat Ali Khan]

I do not think I have anything more to say. I have tried to explain the position as clearly as I can. The subject is somewhat intricate and I think I am entitled to say that Government will be very glad to hear what any honourable member has got to say today, especially on the question of making a distinction in this matter between registered and unregistered practitioners.

Nawabzada Muhammad Liaquat Ali Khan : As has been stated by Mr. Reid the question is rather complicated. I have tried to follow his speech and to understand what exactly the Government propose to do. It seems to me that their proposal is that practitioners who are not registered under the United Provinces Medical Act should now be placed on the same footing as practitioners who are registered under that Act in so much as that if they dispense their own prescriptions in their own dispensaries then they need not keep an account. I hope I have understood him aright.

Mr. A. B. Reid : That is so.

Nawabzada Muhammad Liaquat Ali Khan : Well, Sir, it is certainly an improvement on the rules as they stand at present. But what about those practitioners who have been registered under the United Provinces Medical Act? Their position, as I understood from the speech of the honourable member, is to be the same as it is at present.

Mr. A. B. Reid : No, Sir, it is not.

Nawabzada Muhammad Liaquat Ali Khan : Will the honourable member kindly explain what their position will be—the position of the registered practitioners?

Mr. A. B. Reid : Yes. The system by which they have to keep records and file reports with District Magistrates is to be abolished. I have already explained the position and I have said that that system will be swept away.

Nawabzada Muhammad Liaquat Ali Khan : Only as regards their own prescriptions or as regards prescriptions of other medical practitioners?

Mr. A. B. Reid : As regards their own prescriptions. That is exactly what the delegation of the Indian Medical Association asked us to do. The association distinctly made a distinction between the two. I have got it in writing here from them.

Nawabzada Muhammad Liaquat Ali Khan : There seems to be some confusion about this. I understood that those medical practitioners who came and waited on the Hon'ble Minister wanted that in the case of registered practitioners the rules should not apply whether the prescription is their own or whether the prescription is of some other medical practitioner. If that is not so, then I do not see how the position of those medical practitioners who are registered will improve.

Rai Bahadur Vikramajit Singh : I hold a letter signed by the Secretary which I can read.

Nawabzada Muhammad Liaquat Ali Khan : I would request the Hon'ble Minister to consider the desirability of amending the rules to the extent that in the case of medical practitioners who are registered and who keep their own dispensaries, the keeping of no record

should be necessary whether the prescription is written by the medical practitioner himself or whether it is written by another medical practitioner. It would make the position in the case of registered practitioners just as it was before the rules came into force. As regards unregistered medical practitioners, I should suggest that in their case no record need be kept of a prescription written by themselves and dispensed in their own dispensary, but a record should be kept if a prescription was written by an outside medical practitioner and dispensed in their dispensary. That will give some sort of concession to those doctors who are registered under the Medical Practitioners Act.

The honourable member who has just spoken stated that the action that was taken by the Government was due to the fact that the Medical Council requested the Government to take certain action. I do not think that the Medical Council ever intended that any action should be taken against qualified medical practitioners. What they wanted was that in the case of unqualified medical practitioners some such action should be taken.

Mr. A. B. Reid : That is not what they say.

Nawabzada Muhammad Liaquat Ali Khan : However, if I accept the argument that this was done at the request of the Medical Council then I would suggest that following the same principle the Government should now rescind the rules as the Medical Council now wants that these rules should be rescinded. According to a resolution of the Medical Council which was referred to by my friend Mr. Vikramajit Singh it is recommended that the Government be pleased to rescind amendment, no. (1) to the rules framed under section 2 of the Poisons Act, and published in the *United Provinces Gazette* no. 1273/VI—1776, dated the 29th September, 1933, and no. 1000/VI—1776-1930, dated the 15th April, 1935, because the said amendments adversely affect qualified medical practitioners in the exercise of their profession and are contrary to the provisions of section 9 (1) of the said Act, which specifically exempt a medical practitioner from any rules made under that Act. The recommendation of the Medical Council on this point is very clear and this recommendation was made unanimously. The members who attended this meeting were the present Inspector General of Civil Hospitals, Colonel Buckley, and a number of other distinguished medical men who are in Government service. Of the 15 members who were present at this meeting, 9 were those who were in Government service and six were those who were private medical practitioners. So I submit that the unanimity of opinion amongst medical men on this point is so great that the Government should pay very careful and sympathetic consideration to the request which has been made by the Medical Council. If, as has been suggested by the honourable member who has just spoken, the Government took this action on the recommendation and the request of the Medical Council itself, then it stands to reason and it is logical that the Government should now rescind these rules because the Medical Council has found that these rules as framed by the Government are adversely affecting the medical practitioners in this province.

[Nawabzada Muhammad Liaquat Ali Khan]

I support very strongly the motion that has been moved by my friend Mr. Vikramajit Singh and I do hope that the Hon'ble the Minister will see his way to accept the recommendation.

Mr. A. B. Reid : Does the honourable member wish the Government to turn down the solution which the Indian Medical Council itself proposed? They have given to us their solution, and you ask us to reject it.

Nawabzada Muhammad Liaquat Ali Khan : Sir, I do not know whether this solution was submitted by these people in writing or whether it is a note that has been taken of their conversation.

Mr. A. B. Reid : No, Sir. It is a written record by the Secretary of that Council.

Rai Bahadur Vikramajit Singh : I have got a letter from the Secretary which I will read out if necessary.

Nawabzada Muhammad Liaquat Ali Khan : May I just answer that question of Mr. Reid? I certainly think that if the medical practitioners or their Secretary has put in such a request as is referred to by the honourable member, then it will not solve their difficulty. I am sure that they could not have meant an amendment of these rules on the lines which the honourable Secretary has suggested, because after the deputation was received by the Hon'ble the Minister I had the privilege of meeting them and I understood from the talk which I had with them that they would be satisfied if the rules were amended in the way as suggested by me. That is to say, in the case of those medical practitioners that are registered no record of persons dispensed in their dispensaries should be necessary to be kept, whether the prescription was their own or whether it was written by an outside medical practitioner. In the case of those medical practitioners who are not registered, no record should be necessary where their own prescriptions have been dispensed in their own dispensary, but a record should be necessary in those cases, where the prescription was of an outside medical practitioner. I think, Sir, that if the Government amended the rules on those lines it would satisfy medical practitioners in these provinces.

The Hon'ble the Minister for Local Self Government : Sir, I should like to place the House in possession of certain facts. The representatives of the Medical Association of the United Provinces waited on me and we discussed the whole thing at length. They made it perfectly clear that where the prescription was their own and was dispensed in their own dispensary it should not be recorded at all in the way they are required. But if a dispensary is maintained with the object of dispensing prescriptions by any other practitioner then in that case necessary records should be maintained. That is the point. They made it very clear to me and I think they went back thoroughly satisfied. I told them that I was perfectly prepared to look into the question most sympathetically and exempt all medical graduates who were maintaining dispensaries and who wrote their own prescriptions and dispensed them in their own dispensaries. In that way they will not be affected at all but only those people will be affected who are practically playing the role of vendors or running regular medical halls for the purposes of dispensing medicines to the public either on the prescriptions of some doctors or in some other way. Therefore it is clear that the delegation could not have intended to take a different position. There is obviously

some misunderstanding on this point. The records will show, as has already been pointed out by the Secretary, that they made it perfectly clear that they will be thoroughly satisfied if they were allowed to dispense their own prescriptions without being interfered in any way, viz. without being called upon to maintain any record. To those who wanted to make a profit out of it by running a regular medical hall it must apply, because they are really in a position of vendors. There they are to make a profit and therefore it must necessarily be applied to them. I hope the House will recognize that all these restrictions are being made with a view to guarantee greater safety to the public. The whole object of this Medical Councils Act will be defeated if we did not insist upon the discipline that must necessarily be maintained by bringing the medical graduates under the Act and having them registered. I do hope that it was recognized that the registered graduates should not be allowed to run regular medical halls and play the role of regular vendors. They should aim at having their own prescriptions dispensed. The public interest is involved there also and we cannot ignore that aspect of the question. It is thus clear that what the delegation meant was that the Poisons Act should not be applied to them to this extent that if they write out their prescriptions and have them dispensed in their own dispensaries, no record should be necessary and they should not be put to any inconvenience. Now if my honourable friend has any doubt that the Medical Association meant something else I am perfectly willing to refer the whole thing to the Medical Council and invite their opinion and examine the whole thing afresh in the light of it and see as to what extent we can mutually adjust our views. That is all I am in a position to say at present because obviously the representatives of the Medical Association made it perfectly clear that they did not want anything more than that and what my friend wants is something much more than what they really wanted.

***Mr. C. Y. Chintamani :** I am glad that the position taken by the Government today is somewhat less unfriendly to medical practitioners in respect of these rules under the Poisons Act than it was believed to be until the Secretary and the Hon'ble the Minister spoke today. The Hon'ble the Minister will remember that when some time ago—some considerable time ago—there was a discussion in this Council on this subject and when my honourable friend who has moved the present cut and myself pressed the Hon'ble the Minister, he promised to reconsider the whole of these rules. Nothing came out of that promise and since then the grievance of medical practitioners in the province has increased in volume and intensity. The whole of these papers relate to this subject. It includes the rules, the resolutions of the Medical Council and of Medical Associations, representations repeatedly addressed to Government and allied papers. The Hon'ble the Minister now tells us that medical practitioners who waited in deputation upon him a few days ago told him that they would be thoroughly satisfied provided that these new rules were not made applicable to their own prescriptions dispensed in their own dispensaries but were limited to prescriptions of other practitioners. I think

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that the use of the phrase "thoroughly satisfied" is a gross exaggeration of the truth. What I apprehend must have happened is that the medical practitioners, finding that the Hon'ble the Minister's attitude was either stiff or stuff up to a certain point, and that the maximum concession which they could hope to get from him was that and no more, might have employed language indicating acquiescence in the maximum concession that the Minister proposed to make and not anything more than that.

The Hon'ble the Minister for Local Self-Government: That was their definite demand. There is no question of acquiescence here.

***Mr. C. Y. Chintamani:** If the Hon'ble the President will tolerate that, I can detain the Council for full half an hour by reading from authentic documents to show that it was not the whole of their demand—not even half of their demand. For a person to think that to obtain half a loaf is better than to go without any is quite different from a person expressing himself thoroughly satisfied if he could get half a loaf. It is within the experience of all of us sitting on this side of the House to have to express partial satisfaction whenever we get partial relief from the other side without however yielding our claim to what is not conceded. Besides, it is not only the medical practitioner's private interest that is involved here. There are larger interests that are involved, and we are entitled to speak in behalf of those larger interests.

My old friend, Mr. Reid, whom I welcome as a speaker on the floor of the House after many years, began by telling us that the subject was very intricate—far more intricate than appeared from the speech of the honourable mover. I regret, Sir, that I do not agree with him. I cannot understand wherein lies that exceeding intricacy of the subject by reference to which he frightened us. What was the great evil that prevailed in the province before the present rules were framed. If there was such an evil rampant, why did not the Government proceed to frame these rules on their own initiative? Actually it was the Medical Council that drew the attention of the Government to the desirability of framing some rules with the object of preventing persons not possessing registrable medical qualifications from prescribing certain poisonous drugs and by limiting such prescriptions for sale except under a licence. The Government thereupon stated that they had no intention of embarrassing qualified medical practitioners in the practice of their profession in any way, but were solely moved by a desire to suppress the evil. The actual rules, however, proceed very far beyond the declared intentions of the request made by the Medical Council. So soon as these rules were made and when protests began to be uttered, the Hon'ble Minister in reply to questions from this side made it clear that the object was to encourage or induce or make it worth the while of registrable but unregistered practitioners to register themselves under the Act of 1917. When he was told that if that was the object he should go about in a straightforward manner and not bring it about in this indirect way, he said in the end that he would reconsider the whole position. Now there are two points involved here. In the original Government order on the Medical Council's resolution the

* Speech not revised by the honourable member.

Government stated that unqualified practitioners should be required to take out this licence, not all unregistered practitioners. If today the Government's position is still what the Minister stated to be on the last occasion when he spoke, viz. that they should discourage registrable practitioners remaining unregistered, they should offer some encouragement or inducement to the registrable practitioners to get themselves registered under the Act of 1917, and let them bear in mind that if they want to confer special privileges on the registrable practitioners and thereby to induce all qualified practitioners to get themselves registered, they should consider that with other questions such as the constitution of the Medical Council. When the Medical Act was passed in 1917, the general body of non-official members were not satisfied that the constitution proposed by the Medical Council was altogether satisfactory. They wanted it to be more representative of the independent medical profession and to a less domination by Government's official doctors. They only accepted it in the end as an interim measure and they intended that with the growth of the independent medical profession the Act should be amended so as to make the constitution of the Medical Council more popular than it is at present. How urgent such an amendment is, is made clear by one of the latest acts of the Inspector General of Civil Hospitals who is also *ex officio* Chairman of the Medical Council. The Medical Council at a recent meeting passed a resolution against these rules under the Poisons Act, a resolution which has been read by my honourable friend, the mover. The Chairman who is the Inspector General of Civil Hospitals informed the Council at a subsequent meeting that in forwarding that resolution to the Government he made his own recommendations contrary to the opinion of the Medical Council. When subsequently a member of the Medical Council gave notice of questions to elicit further information regarding these, he disallowed all those questions. Sir, if the Hon'ble Minister intends to bring indirect pressure to bear upon the independent medical practitioners to register themselves, then he should in all fairness also proceed to amend the Medical Act, that is to say he should bring before the House a Bill to amend the Medical Act so as to make the constitution more satisfactory and so as to curtail the powers of the President, if the Inspector General of Civil Hospitals is to continue as President *ex officio*.

The second point which the Hon'ble Minister has stressed is of discipline. I should like to know where comes the question of discipline here. If a registered medical practitioner does an act contrary to the rules of his profession or to the honour of the profession, the Medical Council has already jurisdiction over him. If a medical practitioner does something which no gentleman or no reputable doctor is expected to do, then there are ways of reaching him. How on earth do these rules under the Poisons Act, which impose so much inconvenience and hardship upon independent medical practitioners, touch the question of the medical profession at all, I do not understand. The object of the Medical Council in approaching the Government for action, and the object of the Government, as avowed by themselves in their order, was to prevent the danger to the public by unqualified men of poisonous substances, and to discourage the practice of prescribing poisons. I submit that these rules do not achieve either of those objects. If the

[Mr. C. Y. Chintamani.]

Government should take power to themselves to acquire some control over the opening of shops of chemists and druggists in a purely commercial spirit by persons who are not qualified medical practitioners, and if further the Government takes steps as I pleaded yesterday, to make arrangements for the better training of compounders to dispense prescriptions, then, Sir, the public interest will be served far better and the avowed object of the Government will be achieved far more effectively than by these rules which are doing nothing to achieve the avowed object but impose needless and unjustifiable hardship upon a number of men who are serving the community very well indeed. I therefore suggest to the Hon'ble Minister to amend these rules without delay to meet all reasonable complaints and to proceed with constructive measures for the achievement of the object which the Government had originally in view either by the adoption of the measures I have suggested or by adopting of any measures which Government may deem suitable for the purpose. To the extent the Hon'ble Minister is prepared to make concessions to the demands of the medical practitioners, to that extent we welcome his statement and accord him our thanks, but to the extent to which he is willing to proceed, we are bound to tell him that it goes a very small way. It does not meet either the whole or the half of the grievances that have been put forward against these rules and we do press him to proceed much farther than he has indicated his intention to do and until he does that, we shall continue to bring pressure upon him in every way we can.

The Hon'ble the President : May the Chair intervene a bit in this matter ? It appears to the Chair that there is a lot of controversy on this question which has been pending for the last so many years. There is actually a difference of opinion as to what the demand of the Medical Association is. If therefore the Chair may go out of its way a bit it will like to throw out a suggestion to the Hon'ble Minister to call a conference of representatives of the Medical Association and the Medical Council and of Leaders of groups of this House before the June session of the Council and arrive at a solution which might be agreeable to the House. That might cut short the debate. Will that be agreeable to the House ?

The Hon'ble the Minister for Local Self-Government : I rise at once and say that I am prepared to accept the suggestion made by the Chair, and convene a conference of the representatives of the Medical Association, Medical Council and the Leaders of various parties in this House before the next session of the Council. We can then come to a reasonable and just settlement.

The Hon'ble the President : Is that agreeable to the House ?
Several voices : Yes, Sir.

Rai Bahadur Vikramajit Singh : We agree to the suggestion thrown out by the Chair and accepted by the Hon'ble Minister.

The Hon'ble the President : On the understanding that the suggestion thrown out by the Chair is acceptable to the House the motion is withdrawn.

The motion was, by leave, withdrawn.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under the entire head, a reduction of Re.1 be made.

Sir, my meaning is simply this that this Council lodges its protest against the insufficient amount of funds which are annually placed at the disposal of the Medical Department. Sir, for want of time I do not wish to make any long speech as I originally intended to do.

The Hon'ble the President : There is still one hour left and the honourable member can make a long speech.

Khan Bahadur Maulvi Fasih-ud-din : It will be very short. We have heard debates in this Council regarding paucity of funds placed at the disposal of district boards in order to improve medical activities in rural areas and we do not know what poor agriculturists are to do to be able to get some sort of medical treatment. They are totally uncared for and I think it will not be too much to say that they live like dogs and die like rats. We have seen that the Minister in charge of Medical Department has not got funds even to increase the grants to district boards or hospitals in the rural areas; he is not even in a position to sanction a single new hospital in the rural areas and the amount that has been placed from year to year at the disposal of these hospitals is not more than Rs.300. This state of affairs, I should say in a word, is scandalous, and I think that this honourable House will vote for this cut motion of mine in order to enable the Minister to get more funds for this well deserving department.

The Hon'ble the President : Which department?

Khan Bahadur Maulvi Fasih-ud-din : The Medical Department.

The Hon'ble the President : We have been discussing this department since yesterday and the House has carried cuts after cuts in order to impress upon the Minister the necessity of getting more funds.

Khan Bahadur Maulvi Fasih-ud-din : I want to get this motion passed in this form.

The Hon'ble the President : The House has consented to cuts under different heads.

Khan Bahadur Maulvi Fasih-ud-din : Not in a form like this.

The Hon'ble the Minister for Local Self-Government : Sir, I am grateful to my friend the Deputy Leader of the Constitutionalist Party for showing so much solicitude for the Medical Department. I hope his wishes will be carried out. But it is obvious that so far as the Government is concerned very large sums cannot be made available. Still I cannot fail to thank him for saying that the Medical Department has the sympathy of the House. If we are really to serve the best interests of the public, we must provide more and more money for the Medical Department. That is all I need say. With these words I again say that I am in agreement with my friend the Deputy Leader of the Constitutionalist Party that more funds are necessary for the Medical Department.

The Hon'ble the President : The question is that under the entire head a reduction of Re.1 be made.

The question was put and agreed to.

Raja Jagannath Bakhsh Singh : Sir, I beg to move that under the entire head, a reduction of Re.1 be made.

Sir, with your permission I would reduce the amount to Re.1.

I regret very much that I have to draw the attention of the House to the lack of practical sympathy on the part of the Government in providing adequate medical relief in the rural areas. This question has been so much debated before I rose that I need not supplement my motion by any elaborate speech. I would only remind the honourable members of this House that I have more than once brought this point for the consideration of the House in past years and the latest encouragement that was given to me on this subject from the Government side was the speech of one of the Inspectors General of Civil Hospitals, not long ago, when he said that the policy of the Department was to establish one dispensary within a radius of five miles in rural areas. I do not think it is necessary for me to point out that hardly any increase has been made in the number of dispensaries in rural areas since that statement was made. This year during the budget discussion when the honourable members from this side of the House laid stress on this point, the only reply was the paucity of funds. This assurance from the Government did not convince me and I think I can speak for the majority of non-official members that it did not convince them, particularly for two reasons. In the first place to convince us with a statement of this kind the Government should assure the non-official members that all ways and means existing under their control have been adopted to give such relief; that no further remedy existed under the power of the Hon'ble Minister by which he could further increase their number and that the only way open to him now was by receiving more funds from the Government exchequer; and secondly, he should also convince the House that he was not merely expressing lip sympathy but that he had particular scheme ready to be launched if more funds were available; that all those schemes were fully considered and were simply waiting for funds. If that were the position, I should at once agree that the difficulties of funds have been insurmountable, but in the absence of any such statement we cannot be convinced that it was merely the paucity of funds that stood in the way of the Hon'ble Minister to increase the number of dispensaries in the rural areas. The ways and means which are open to the Government need not be repeated here; they have already been pointed out by member after member who have spoken yesterday and today. I am sure the honourable members on this side will agree with me that it is the duty of the Government that medical relief should be extended to the people in the rural areas. The demand for medical relief to the rural areas has now increased to such an extent that it cannot be brushed aside any more on the plea of paucity of funds.

The Hon'ble the President : On this specific issue a cut motion was carried by the House yesterday under Contributions to Local Bodies perhaps. So what is the issue which the honourable member now wishes to put before the House?

Raja Jagannath Bakhsh Singh : The issue which I wish to put before the House is to lodge a protest against the policy of the Government in not providing sufficient funds for medical relief in the rural areas. I have already strengthened my case by the support which

I have received from the honourable members. My object is to protest against the policy of the Government in not providing adequate medical relief for the people in the rural areas. This demand has been before the House for more than 10 years and in spite of the repeated assurances of the Government I regret very much to submit that no action has yet been taken on it. With these few words, Sir, I commend my motion for the acceptance of the House.

The Hon'ble the Minister for Local Self-Government : Sir, my friend has raised an issue that it is the policy of the Government not to go on with the extension of medical relief in rural areas or to maintaining the efficiency of the Medical Department. In other words he is passing a vote of censure.

Raja Jagannath Bakhsh Singh ; No : No.

The Hon'ble the Minister for Local Self-Government : I warn the House that my friend is putting forward in a most subtle manner, a vote of censure. It practically comes to that unless my friend is willing to change the issue. He is protesting against the policy of the Government in not spending more money on medical relief. In other words, I am the guilty person, I am responsible for not giving an adequate amount of money for extending the activities and increasing the efficiency of the department. If my friend does not mean that, will he change the issue? Instead of giving any encouragement to me, instead of trying to help me to get more money so that the Medical Department may be run more efficiently and to the satisfaction of the public, my friend is running down the department and is adopting tactics which really amount to bringing forward in a clandestine manner a vote of censure. I warn the House against this.

Raja Jagannath Bakhsh Singh : Merely because I do not wish to censure the Government at this time for various reasons that I stated then and I need not repeat them now. Far be it from me to censure the Government only a few days after increasing the salaries of the Hon'ble Ministers and at the fag end of the budget debate. The issue certainly is that I do wish to raise the protest against the policy of stagnation. I am very much inclined to think that the Hon'ble Minister who represents the rural areas himself in this House and through this House in the Government will not be averse to the interest of the same class of people to which he belongs and I cannot understand that he will adopt a policy of stagnation in respect of medical relief to rural areas. But still this is the policy. So I come to this conclusion that perhaps in spite of the wishes of the Hon'ble Minister this policy exists and a protest from the non-official side of the House will set matters right and will perhaps strengthen the hands of the Hon'ble Minister if he really wishes to carry out its desires which have been so many times repeated in this House. He may rest assured that there is no censure and if in spite of this assurance he thinks that I am still adopting tactics as he has said, well perhaps he has been dreaming of tactics for some time. He may rest assured that there are no tactics. If I am permitted I will speak for hours on increasing the amount over medical relief in rural areas where the conditions are deplorable and scandalous and we must not ignore them. I, therefore, hope that the Hon'ble Minister will not

[Raja Jagannath Balish Singh]

misunderstand me if I may present my motion. If after this assurance he is prepared to accept this cut then I think that the assurances he has given on the floor of this House from time to time were made very sincerely; otherwise, I think that the aspicion on this side of the House is justified. I therefore commend my cut to the acceptance of the House.

The Hon'ble the Minister for Local Self Government : Sir, though my friend again and again said that he did not mean to pass a vote of censure on me and that he did not want to attack my policy, yet he continued to say that the policy had been in some way or other to create a position of stagnation in the department. He clean forgets the position that due to depression and general financial stringency funds have not been available during the last few years. The result has been obviously that the Medical Department has not been able to make much headway. Bearing in mind the limitations of the finances of the province every year during the last four years more and yet more money has been spent. There may not have been a very large increase; but there has been an increase all the same. Therefore, it cannot be said that there has been real stagnation. As compared with what we ought to do, certainly it is a small achievement. Therefore, I warn the House again that though with his smiling and wheedling ways he has tried to put the issue mildly, it really means a vote of censure. Therefore, I do hope that the House will reject this motion if it is pressed.

The Hon'ble the President : The Honourable member has himself stated the issue on which he seeks the verdict of the House. The question is that under the entire head a reduction of Rs.1 be made.

The question was put and negatived.

The Hon'ble the President : The original demand was for a sum of Rs.30,14,239 under the head Medical. Since when the Council has carried cuts amounting to Rs.9. The question is that for Medical a sum of Rs.30,14,239 be granted.

The question was put and agreed to.

GRANT No. 32. 34—AGRICULTURE

The Hon'ble the Minister for Education : I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs.34,85,549 be granted under the head Agriculture and I move that this sum be voted.

In addition there is a sum of Rs.1,85,953 which is non-voted, making a total demand of Rs.36,70,551. Sir, of this amount as Minister in charge of Agriculture, I am concerned in particular with the portion which relates to the Agriculture Department. The demand in this section amounts to Rs.26,69,514 of which Rs.25,20,942 is voted and the balance Rs.1,48,572 non-voted. There is an increase of Rs.3,53,670 over the current year's budget. The increase, however, is not real, as there is a corresponding increase

in receipts also. One of the most important developments of the past year has been the introduction of the cane control scheme which is intended for the improvement and marketing of sugarcane in the areas round about the sugar factories and for the improvement of sugarcane in the areas commanded by the tube-wells. The chief aim is the introduction of high yielding and better sucrose containing canes of early mid season and late ripening varieties so as to make it possible for sugar factories to secure all their cane supply locally and according to the needs of the working season.

Rural development grant is being spent on improvement of wells, making of embankments and reservoirs so as to conserve rain water, fruit culture, seed supply and poultry improvement. Under well being 2,250 wells will be improved, embankments and reservoirs will be built in the areas where rainfall is deficient. Seven hundred and twenty villages selected by the district officers will be supplied with fruit seeds and fruit plants valued at about Rs.30 each, so as to provide a small model garden for fruit. The supply of improved seed by the Agriculture Department and its storage by better farming societies will also be managed. The poultry and goat schemes are being administered under the control of Mr. Slater of Etah, who has a long record of services in this line. The Imperial Council of Agricultural Research is financing schemes for research in connexion with—

- (1) Rice at Nagina;
- (2) Sugarcane at Shahjahanpur;
- (3) Devising of cane crushing mills under the Technologist of the Imperial Council of Agricultural Research;
- (4) Hill fruit development at Ranikhet.
- (5) Making of barley under the Economic Botanist,
- (6) Economic enquiry under the Bureau of Economic Research to the United Provinces Government;
- (7) Marketing under a marketing officer, and
- (8) *San* (hemp) research under the Economic Botanist.

The grants of the Imperial Council of Agricultural Research have been extremely useful and have resulted in valuable work being done. The Indian Cotton Committee have also helped in a scheme for the control of pink boll worm and also for a cotton survey and for the extension of C402 cotton.

Sir, the main work of the Department of Agriculture is in connexion with agricultural education, agricultural research, farms and propaganda, cattle-breeding, agricultural engineering and gardens and fruit culture. A detailed account of the activities of the department in these directions is given in the report of the Department, and I need not therefore detain the House with details and would only point out that we have now been able to secure the services of a fruit expert to help in fruit development in the province and to take up development in some portions of the Sarda Canal on an intensive scale.

[The Hon'ble the Minister for Education]

Turning next, Sir, to the new items included in this budget, the most important is the provision for a Deputy Director of Agriculture to assist the Director. This is in keeping with the recommendation of the Royal Commission. It is, however, not desired to create a new post owing to the financial stringency, but an experienced Deputy Director will be attached to the headquarters of the Director of Agriculture, and one of the existing Assistant Directors of Agriculture will be placed in charge of the circle. The Director of Agriculture has 18 disbursing officers dealing with him direct on financial, scientific, administrative and various other matters; and it has been found that the work cannot be adequately looked after by the Director of Agriculture alone. Provision has been made for a grant-in-aid of Rs.20,000 to the Naini Agricultural Institute, to which grants used to be given from time to time previously by the Education Department. The House knows the valuable work which is being done by the Naini Institute. A grant of Rs.12,850 has also been provided for the purchase of a milling machine and boring sets. The workshop machinery has become more or less worn out and requires replacement. Boring sets have also become almost useless. Further reconditioning cannot get over the danger of these pipes snapping in hard strata specially while being lifted after lowering the strainers.

Turning next to the question of rural development I may mention that the scheme has been brought into force in all the districts of the province, excluding the hill area. The first step was the selection of the men and their training. The training of the first batch was finished in October and of the second in January. The work therefore could not start in earnest till the cold weather of 1935 and it is still in its preliminary stages. There are six organizers and one inspector in each district. The first step taken by most of them is to create a sanitary consciousness by having manure pits, soakage pits, cleaning of the village sites and improvement of water supply in the villages. Medicine chests have been supplied to all the villages in the 270 circles and they are proving to be popular. Attention is also being paid to the economic side of the activities and demand is being created for improved varieties of seeds. In a few places village demonstration plots are being opened to teach improved technique in cultivation. Cultural improvements are also attempted and in many places efforts are being made for the opening of village halls, evening classes, playgrounds and for introducing village games and sports.

Sir, it is premature to take stock of the progress of the work. To show and make the villager realize all the beneficent activities of the Government that there are and to follow up these benefits by a more detailed and intimate programme of rural development are the aims of the present activities. A new stir and a note of hope are in evidence everywhere. The traditional apathy is giving place to active interest and in many places the villagers are being roused from their mood of fatalistic resignation. The district officers and other workers have been at pains to make the view familiar that while people can be taught to keep the village clean, improve their ways of living and their methods of farming, the actual work of rural development is the work of the people themselves. In other words the work demands the active help

of all enthusiasts and loyal citizens. The key-note of the work everywhere is self-help. Government does not wish to import anything from outside. It is for the villagers themselves to improve their condition. In this work the Government have received the greatest help and co-operation from their Rural Development Officer, Mr. Venkatachar, who has applied himself to this very difficult task with great enthusiasm.

In conclusion, Sir, I take this opportunity of thanking the officers of the Department of Agriculture from the Director downwards for a good year's work, and in particular, Sir, I wish to acknowledge the debt that this province owes to Mr. Allan, who has now left us, for the extremely valuable work that he did for the province.

Khan Bahadur Maulvi Fasih-ud-din : I beg to move that under sub-head A—Agricultural Superintendence—1. Pay of officers—Fruit Expert, a reduction of Re.1 be made.

It goes without saying that the fruit industry is now attracting the attention of the residents of these provinces considerably. It furnishes an opening for minimizing the rigours of the problem of unemployment. It also creates an opening for the masses of agriculturists who can take up the profession of fruit culture and thus add to their income. But at the same time, Sir, I think the Hon'ble Minister of Agriculture deserves our congratulations on having appointed a Fruit Expert in order to look after this particular industry of fruit development. It is, however, a pity that the Fruit Development Board, which has been started by some non-officials in these provinces and which has got the Director of Agriculture as its Chairman does not receive any help from the Agriculture Department. The members of that Board do not get any aid either in the shape of allowance or in the shape of inaugurating the various schemes which they have for the Development of fruit industry in these provinces. Unless and until the department of Agriculture recognizes it as a branch of its own, this Board can never succeed. It has been doing its work for the last two or three years. I happen to be a member of that Board myself, and I know that it has not been able to make any headway hitherto in spite of the very great and serious efforts that were made by Mr. Allan in order to improve the work of this Board. I want some assurance from the Hon'ble Minister as to his attitude about this Board and as to the manner in which he helped this Board with funds.

Khan Bahadur Saiyid Jafer Hosain : I support the motion that has been moved by my friend, the mover of this motion. I consider that it is necessary that funds should be placed at the disposal of the Fruit Development Board so that the activities which the Board contemplates could come to fruition. I consider that this fruit industry is the coming industry of this province and as such the Government should extend every sympathy and financial help to the Board to achieve the object which it has in view. We are very thankful to the Hon'ble the Minister of Education for having appointed an expert to look after the development of this important industry. I think we spend lakhs and lakhs of rupees annually on importing fresh fruits, tinned fruits and fruits in the shape of jelly, etc. from foreign countries. If proper encouragement is given to the industry and it is put on a sound footing, i.e. by liberal financial help, I have

[Khan Bahadur Saiyid Jafar Husain]

not the least hesitation in saying that the industry will become the means of employing thousands and thousands of our young men. For this reason I hope that the Hon'ble the Minister of Education will consider the question of giving funds sympathetically.

Pandit Shri Sadayatan Pande : Sir, this is an opportune motion, and I think the Government and the public fully realize the importance of fruit culture. I cannot off-hand quote statistics with regard to the amount of money spent on the importation of fruits from foreign countries, but I know that it is a huge amount. There are so many kinds of fruits which are grown in this country that if scientific training is given and they are grown scientifically, at least 80 per cent. of our demands will be met from the produce in this country. It is not necessary for me to give a catalogue of the fruits that are grown in this country, but I can say that the varieties of fruits that are grown in this country are far greater than those grown in any other country of the world. So far the Government, apart from establishing the Fruit Development Board, have not come forward to assist financially the orchard-owners and fruit-growers. The Government have been giving for a long time past grants for improved farming, but they have so far given nothing for the improvement of fruits and fruit culture. It is very necessary that they should do so. I hope the Government will readily accept the motion.

Rao Sahib Thakur Shiva Dhyan Singh :

راؤ صاحب تھاکر شیو دھیان سنگھ —

جناب پریسڈنٹ صاحب — میں خان بہادر صاحب کی کٹ جو پہلوں کے، اہمیت ہی اُدس سے پوری ہمدردی رکھتے ہوئے گورنمنٹ کی توجہ اس طرف مبذول کراؤنگا کہ جو پھل زمینداران یا کاشتکاران اپنے یہاں پیدا کریں اُن کی بکری کے واسطے بھی کچھ انتظام رکھے کیونکہ آج کل جو دنوں میں پھل آتے ہیں اُن اصلی قیمت خرید کے وقت ایک آنہ یا دو روپے آنہ ہوتی ہی مگر جب وہ preserve ہو کر کے آتے ہیں اُدس کی قیمت ایک روپیہ ۱۲ آنہ کے قریب ہوجاتی ہی جیسے آم وغیرہ خوش ذائقہ پھل باہر جاتے ہیں اُسی طرح اگر گورنمنٹ export کے متعلق اُنکا انتظام کرے جو فائدہ ہو سکتا ہی درنہ یہہ تمام کونسل فضول دھیکہ جیسے کہ پہلے سال مہرے کٹ پر وعدہ کیا تھا کہ ہم expert دینگے اُس expert نے کتنا کام گورنمنٹ کا کیا گورنمنٹ اس کا خیال کرے کہ جس پھل کو ذہ میں بند کر کے ایک روپیہ بارہ آنہ میں فروخت کیا جاتا ہی اُس کی اصلی قیمت محض ایک آنہ یا چھ پیسہ ہوتی ہی اب ٹریڈنگ کہ کسان کو صرف چھ پیسہ ملے اور درکان دار نے ایک روپیہ بارہ آنہ میں کیا تب ایک روپیہ دس آنہ چھ پائی کس کو نفع ہوا — اُس کے بعد گورنمنٹ ہم کو بھی assurance دے کہ جو پھل وغیرہ ہم پیدا کریں اُدس کے واسطے marketing کا بھی اچھا انتظام رہنا چاہئے تا کہ اُس کی قیمت ہم کو ٹھیک مل سکے میں اس کی تائید کرتا ہوں کہ وقت زمینداران و کاشتکاران پر نازک آگیا ہی گورنمنٹ کی مدد کی سخت ضرورت ہی درنہ فصل پیدا کرتے ہوئے بھی تباہ ہوجاویں گے *

The Hon'ble the Minister for Education : Sir, I thank the honourable mover of this cut for his kind references to me, not only on this occasion, but on a previous occasion too. I made an omission to thank him then; and I hope he will accept my assurance that it was accidental. I appreciate his good wishes; and I am thankful to him for what he has said.

Sir, fruit is a subject in which I have been personally greatly interested. The Agriculture Department did not extend its activities very greatly to fruit culture until some little time ago; and it was three years ago that we took up the matter, and, thanks to the zeal of Mr. Allan, a great deal of push has been given to fruit culture in this short period. It is true that the grant at the disposal of the Fruit Culture Board is a small one. I might inform the House that we are giving Rs.4,000 a year to the Board of Fruit Culture, but, as I stated in my budget speech, we have given further sums for the development of fruit culture in the province. We have set apart a sum of Rs.20,000 from the Rural Development grant for the distribution of fruit trees in villages. We have appointed a fruit expert; and we have been able to establish a fruit culture station in the hills with the help of a grant from the Imperial Council of Agricultural Research. The marketing officer, about whom I made a reference in my speech, will give his attention to the marketing of fruits also. So, we have not left out any aspect of the question. The department has been quite alive to the needs of this industry, which has very great possibilities in the province. I hope all landlords will co-operate with the department in this work.

Rao Sahib Thakur Shiva Dhyan Singh : Very heartily.

The Hon'ble the Minister for Education : Thank you.

As regards increasing the allotment to the Board of Fruit Culture, I am afraid I can give no assurance because it depends on the money being available, but I wish to assure the House that I realize the importance of the work and I will do my best to improve the resources of the Board.

Khan Bahadur Maulvi Fasih-ud-din : The province is sincerely grateful to the Hon'ble the Minister for the push he has given to the activities with regard to fruit culture. I will only make two suggestions for his consideration. One is that the amount of Rs.4,000 is very small and it should be increased to at least Rs.50,000 if he expects this Board to do anything substantial in this direction.

The Hon'ble the Minister for Education : I entirely agree.

Khan Bahadur Maulvi Fasih-ud-din : The other point that I wish to suggest is that instructions should be issued to Agriculture Inspectors to the effect that their duty does not consist only in promoting cultivation of agricultural products, but also in encouraging villagers to plant gardens.

I beg to withdraw my motion.

The motion was, by leave, withdrawn.

The Hon'ble the President : Which of the motions is going to be moved now?

(Nobody got up.)

The Hon'ble the President : So I take it that no motion will be moved under the head Agriculture.

The question is that for Agriculture, Veterinary and Co-operative Credit departments a sum of Rs.34,25,549 be granted.

The question was put and agreed to.

GRANT No. 33. 30—SCIENTIFIC DEPARTMENTS

The Hon'ble the Minister for Education : Sir, I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs.21,371 under head 30—Scientific Departments be granted and I move that this sum be voted.

The Hon'ble the President : It is now 5 p.m. and the demand under discussion must be put under sub-rule (2) of rule 29. The question is that a sum of Rs.24,371 be granted.

The question was put and agreed to.

DEMANDS PUT WITHOUT DISCUSSION UNDER RULE 29(3) OF THE UNITED PROVINCES LEGISLATIVE COUNCIL RULES.

The Hon'ble the President : There are 23 demands in all which have to be put under sub-rule (3) of rule 29 in respect of which I communicate to the House the recommendation of His Excellency the Governor that the sums entered against each be appropriated and voted by this House. Following the practice of last year, I propose to put those grants *en bloc* unless an honourable member will tell me that he wants me to put any grant separately. Is there any demand which any honourable member would like me to put separately?

Mr. C. V. Chintamani : Sir, I would like demand no. 15—Public Works Expenditure, charged to revenue and grant no. 27—Excise, to be voted separately.

The Hon'ble the President : The question is that—

For Grant no. 2—46—Stationery and Printing, a sum of Rs. 11,57,383 be voted;

For Grant no. 3—8 and 8-A—Forests, a sum of Rs.22,82,268 be voted;

For Grant no. 4—33—Public Health, a sum of Rs.21,19,477 be voted

For Grant no. 5—36—Aviation, a sum of Rs.4,000 be voted;

For Grant no. 6—37—Miscellaneous departments, a sum of Rs.83,283 be voted;

For Grant no. 7—Interest on debt, a sum of Rs.5,250 be voted;

For Grant no. 10—Refunds, a sum of Rs.2,88,800 be voted;

DEMANDS PUT WITHOUT DISCUSSION UNDER RULE 29(3) OF 695
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For Grant no. 11—45—Superannuation allowances and pensions, a sum of Rs.65,59,950 be voted ;

For Grant no. 12—60-B—Commuted value of pensions, a sum of Rs.11,75,000 be voted ;

For Grant no. 13—Loans and advances by the Local Government, a sum of Rs.25,49,000 be voted ;

For Grant no. 16—Public Works and other outlay (excluding establishment) not charged to revenue (60—Civil Works), a sum of Rs.5,10,200 be voted ;

For Grant no. 17—Improvement of communications charged to central road development account (41—Civil Works) a sum of Rs.17,27,409 be voted ;

For Grant no. 18—Establishment of the Public Works Department (41 and 60—Civil Works), a sum of Rs.10,05,633 be voted ;

For Grant no. 19—Grants-in-aid of Civil Works (41 - Civil Works), a sum of Rs.64,788 be voted ;

For Grant no. 24—43—Famine Relief, a sum of Rs.34,500 be voted ;

For Grant no. 28—24—Administration of Justice, a sum of Rs.63,13,618 be voted ;

For Grant no. 29—7—Stamps, a sum of Rs.2,72,600 be voted ;

For Grant no. 30—47—Miscellaneous charges, a sum of Rs.8,83,573 be voted.

The question was put and agreed to.

The Hon'ble the President : The question is that for Public Works expenditure charged to revenue (excluding establishment) (41—Civil Works), a sum of Rs.35,59,858 be granted.

The question was put and agreed to.

The Hon'ble the President : The question is that for Excise a sum of Rs.11,68,845 be granted.

The question was put and agreed to.

The Hon'ble the President : The question is that for expenditure in England a sum of Rs.5,57,040 be granted ;

for Extraordinary charges, a sum of Rs.14,500 be granted ;

for Payments to retrenched personnel, a sum of Rs.12,000 be granted.

The question was put and agreed to.

PROROGATION OF THE COUNCIL

The Hon'ble the President : His Excellency has commanded the prorogation of the House and in virtue of that order the House stands prorogued.

(The Council accordingly stood prorogued at 5.5 p.m.)

APPENDIX

(See page 629 *supra*)

*Statement referred to in answer to starred question no. 12, for
28th March, 1936, asked by RAI GOVIND CHANDRA SABIR*

Serial no.	Name	Educational qualifications	Profession
1	Babu Amba Charan ..	Has read up to the Entrance and knows English and Urdu well.	Bonares State Tahsildar.
2	Mrs. Probha Banerji..	Knows English very well, and has working knowledge of vernaculars. Intermediate passed.	Wife of Professor A. C. Banerji of Allahabad University.
3	Lala Rameshwar Prasad Agarwala,	Well educated in Urdu, Hindi and Mahajini and has sufficient knowledge of English.	Money-lender and proprietor of a business firm.
4	Rai Bahadur P. K. Ray.	Graduate and Vakil, Allahabad High Court.	Retired District and Sessions Judge.
5	Rai Bahadur N. K. Mukerji,	Graduate, can read Urdu and Hindi.	Secretary, N. I. C., Tract and Book Society, Allahabad.

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